

**Economic Development Subcommittee
December 12, 2018
Minutes**

TOWN OF FRANKLIN
TOWN CLERK

Members present: Matthew Kelly, Glenn Jones, Melanie Hamblen, Eamon McCarthy Earls.

2018 DEC 14 A 9:04

Also in attendance: Deborah Pellegri, Anthony Padula, Joseph Halligan, John Carroll, Deputy Town Administrator Jamie Hellen, Planning Director Bryan Taberner, Building Commissioner Gus Brown, Planner, Amy Love and Steve Sherlock.

RECEIVED

Matt Kelly called the meeting to order at 5:45 PM, and read a statement into the record regarding attendance of Town Councilors not on the Economic Development Subcommittee.

Brewery, Winery, Distillery Bylaw Issues - food requirement. Jamie Hellen provided a summary of the issue before the Committee. The discussion was to determine if the Town should continue to require food for the new farmer series facilities (Brewery, Winery or Distillery with taproom) as the current by-law reads. There was discussion about Breweries starting off as only serving beer, and expanding in the future into serving food. There was discussion about the breweries being a gathering spot and customers expecting food to be served. Mr. Taberner said they can order food from local residents to be delivered to the brewery. Mr. Hellen said they researched with many local breweries and even breweries from out of state, that none of them are required to serve food. There was further discussion on the hours of operation and how much they are allowed to pour per customer.

Motion to move to Town Council, Mr. Earls, second by Mrs. Hamblen, voted (4-0).

Mixed Business Innovation Zoning District— Mr. Hellen provided an overview of the proposed new zoning district and also provided a map that included what lots the zoning is proposed to be applied. Mr. Taberner further explained the uses that would be allowed in this district, if the property were to be re-zoned. In addition, the Use Table would add 3 more uses catered to the zone. Mr. Taberner said he has spoken with some of the property owners who agree this would be good for property uses. Mr. Kelley asked about adding a residential portion to this zone. Mr. Kelley said he thought this would be a tear down and residential should be allowed on the upper floors. There was discussion of the current industrial uses and potential for future of the buildings. Mr. Padula asked if the Town was trying to control what goes there. Mr. Hellen said they are trying to make the property more marketable and attract more businesses there. Mr. Jones said they are trying to re-purpose the property. Mr. Eamon said with the single story mill, there are not much option currently with the zoning. The MBI zoning would better help sell the building. Mr. Taberner explained that currently the only use is heavy manufacturing and explained the definition of heavy manufacturing.

Motion to move to Town Council, Mr. Jones, second by Mr. Earls, voted (3-1).
Next EDC meeting TBD.

Meeting Adjourned at 6:45 PM

Farmers Series License Food Requirement Information

<u>Town</u>	<u>Yes/No</u>	<u>Notes</u>	<u>Brewery</u>
Hudson	No		Medusa Brewing
Charlton	No		Treehouse Brewing
Milford	No		Craft Roots Brewing
Hopkinton	No	Customers can order food from Waterfresh Farms- next door	Start Line Brewing
Framingham	No	However both have Common Victualer License	Jack's Abbey
Norton	No		Bog Island Brewing
Woonsocket RI	No		Ravenous Brewing Company
Bridgewater	No		Black Hat Brewing
<u>State</u>			
State of Oregon	No		
State of Washington	No		
State of Colorado	No		

FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

355 EAST CENTRAL STREET, ROOM 120
FRANKLIN, MA 02038-1352
TELEPHONE: 508-520-4907
FAX: 508-520-4906

MEMORANDUM

TO: JEFFREY D. NUTTING, TOWN ADMINISTRATOR
FROM: BRYAN W. TABERNER, AICP, DIRECTOR
RE: PROPOSED MIXED BUSINESS INNOVATION ZONING DISTRICT
FISHER AND HAYWARD STREETS
CC: JAMIE HELLEN, DEPUTY TOWN ADMINISTRATOR;
MARK CEREL, TOWN ATTORNEY; GUS BROWN, BUILDING COMMISSIONER;
AMY LOVE, PLANNER; MAXINE KINHART
DATE: NOVEMBER 27, 2018

As you know the Department of Planning and Community Development (DPCD) has been working on rezoning concepts for the former Clark Cutler McDermott (CCM) property on West Central, Fisher and Hayward Streets. CCM went bankrupt after decades at that location, and the property is being managed and marketed by a court-appointed Trustee.

The industrial and warehouse/distribution property is currently underutilized, and the Trustee has struggled to obtain a buyer. In addition to the CCM properties, there are several adjacent industrially-zoned parcels that are either in need of redevelopment or currently being utilized for non-Industrial uses. DPCD recommends rezoning seven industrial parcels on or near Fisher and Hayward Streets. Attached is a diagram showing the in the area, and a list of parcels proposed for rezoning.

This cluster of industrially-zoned properties is surrounded by residential neighborhoods that could be negatively impacted if any of the seven industrial parcels were utilized for heavy manufacturing, which is allowed by right in the Town's Industrial Zoning District. For this reason DPCD proposes to rezone the seven parcels from the Industrial Zoning District to a zoning district that would eliminate heavy industrial uses and permit uses that would have less impact on adjacent residential neighborhoods.

DPCD has struggled with rezoning to a current Zoning District; for that reason a new Zoning District has been drafted. DPCD proposes creation of a new Mixed Business Innovation (MBI) Zoning District that allows the current level of manufacturing and warehouse/distribution uses at the CCM properties, allows for a greater range of uses by-right or by special permit, and increases the likelihood of the property being redeveloped.

Given the area's proximity to the Downtown and the Franklin Cultural District, DPCD has included a wide variety of uses that could support reinvestment and reuse of the properties for light industrial, commercial, arts and cultural, institutional, or entertainment uses. Some of the uses DPCD recommends allowing by-right or by Planning Board special permit include art

galleries, performance venues, studio space, artisanal or craft maker space, research and development, business incubator and co-working space, restaurants, cafes, services and retail.

Attached are the following for consideration:

- Diagram of the area showing the current and proposed zoning;
- List of parcels proposed for rezoning from Industrial (I) to the new Mixed Business Innovation (MBI) Zoning District;
- A summary of the Zoning By-law Amendments required to create the new Mixed Business Innovation Zoning District, including mention of the more important Zoning Bylaw changes being proposed; and
- The following Zoning Bylaw Amendments:
 - Zoning Bylaw Amendment 19-8X1: Districts Enumerated. Creation of Mixed Business Innovation Zoning District
 - Zoning Bylaw Amendment 19-8X2: Mixed Business Innovation Zone Use Regulations
 - Zoning Bylaw Amendment 19-8X3: Mixed Business Innovation Zone Dimensional Regulations
 - Zoning Bylaw Amendment 19-8X4: Changes to §185-20. Signs, Mixed Business Innovation Zoning District
 - Zoning Map Amendment 19-8X5: Zoning Map Changes from Industrial to Mixed Business Innovation an Area on or near Fisher and Hayward Streets
 - Zoning Bylaw Amendment 19-8X6: Changes to Sign District Overlay Map, Mixed Business Innovation Zoning District.

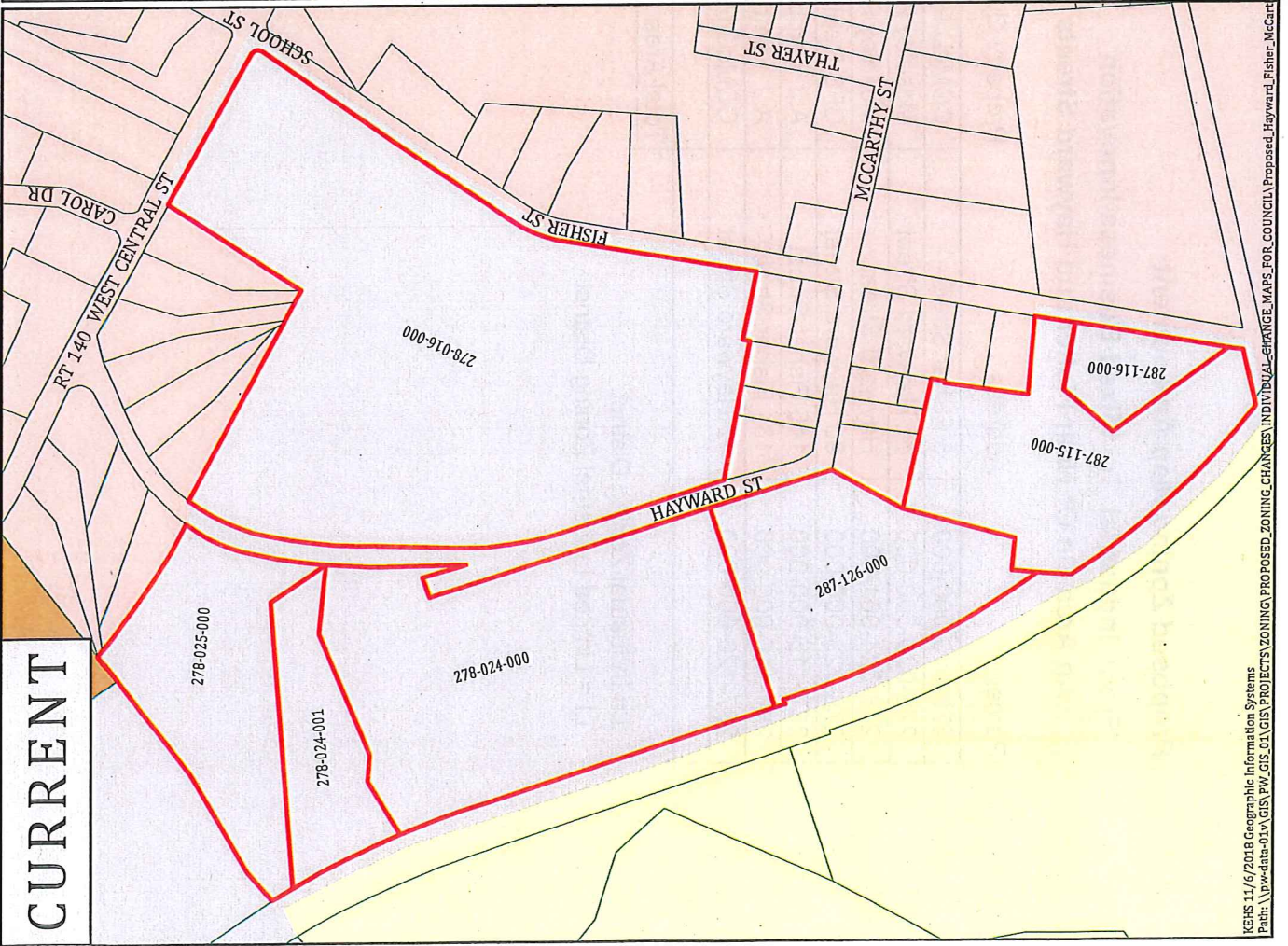
If the Economic Development Committee supports the rezoning concept DPCD recommends they refer Zoning By-law Amendments 18-8X1 through 19-8X6 to the Town Council for a presentation, and eventually referral to the Planning Board for a public hearing. Please let me know if you have questions or require additional information for clarification.

Proposed Zoning Map Changes

Industrial to Mixed Business Innovation, An Area On Or Near Fisher and Hayward Streets

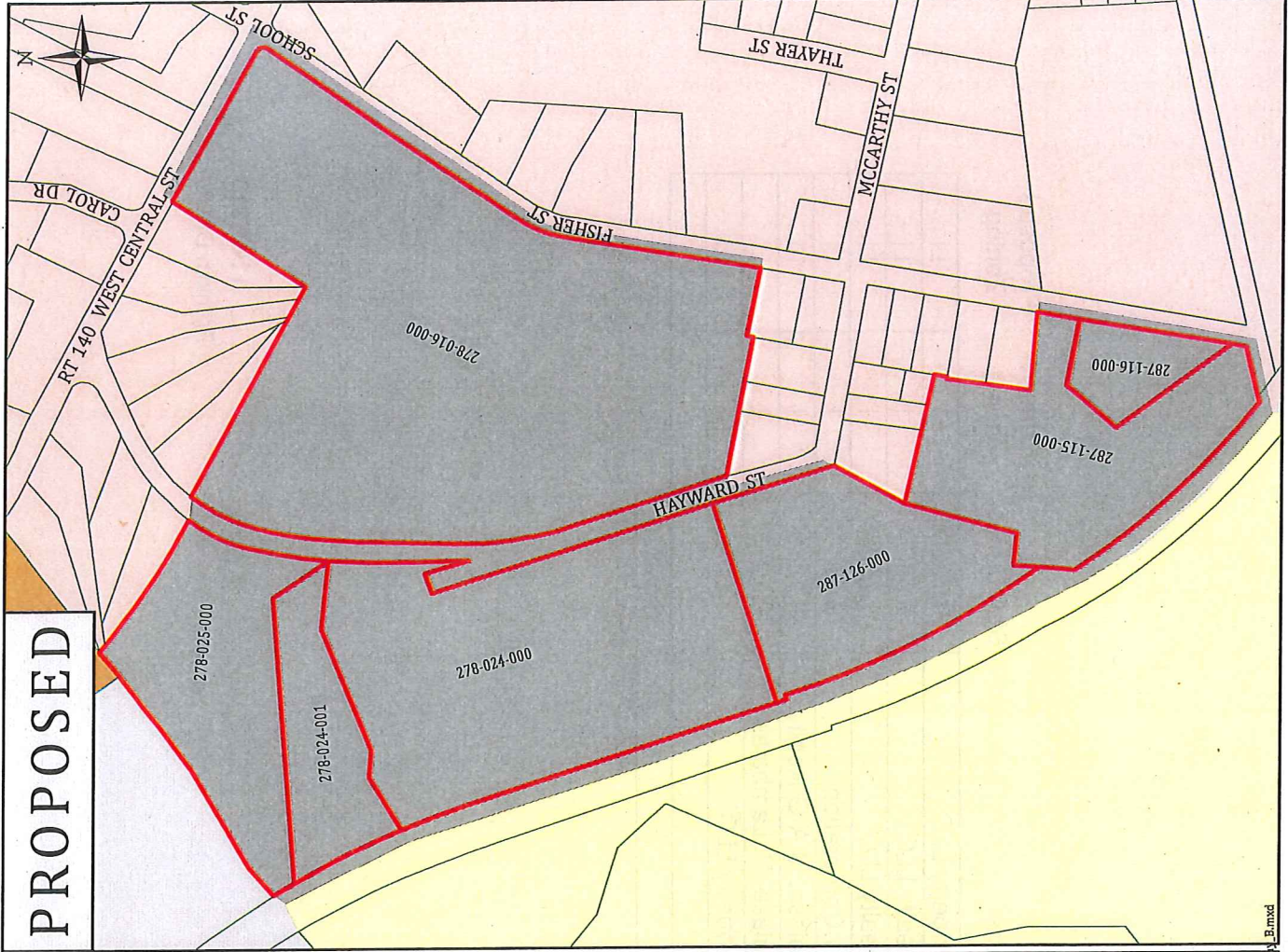
0 75 150 300 450 600 Feet

CURRENT



- General Residential V
- Industrial
- Mixed Business Innovation
- Rural Residential I
- Single-Family IV
- Area of Proposed Change
- Parcel Line

PROPOSED



Proposed Zoning Map Amendment

From Industrial To Mixed Business Innovation An Area On Or Near Fisher and Hayward Streets

Parcel	Address	Property Owner	Size (Acres)	Current Zoning	Proposed Zoning
278-016-000-000	5 Fisher Street	CCMcD Property LLC	14.75000	I	LI
278-024-000-000	31 Hayward Street	Moseley Realty LLC	7.55000	I	LI
278-024-001-000	Hayward Street	Moseley Realty LLC	1.69000	I	LI
278-025-000-000	90 Hayward Street	CFS Realty Corporation	3.39400	I	LI
287-115-000-000	145 Fisher Street	A.J. Lambaiase, J A G Realty	3.78600	I	LI
287-116-000-000	131 Fisher Street	A.J. Lambaiase, P. Lambaiase	0.79171	I	LI
287-126-000-000	42 Hayward Street	CCMcD Property LLC	3.56700	I	LI
Total Area			35.52871		

I = Industrial Zoning District

LI = Limited Industrial Zoning District

11/6/2018
Franklin DPCD

PROPOSED MIXED BUSINESS INNOVATION ZONE SUMMARY OF ZONING AMENDMENTS

The Department of Planning and Community Development (DPCD) has developed the following summary to outline Zoning Bylaw Amendments required to create a new Mixed Business Innovation Zoning District. Rezoning the former Clark Cutler McDermott (CCM) properties and several adjacent parcels on Fisher and Hayward Streets from Industrial (I) to the proposed Mixed Business Innovation (MBI) Zoning District will increase the likelihood that the properties will be redeveloped.

The new Mixed Business Innovation (MBI) Zoning District would allow the continued medium and light manufacturing and warehouse/distribution uses, while allowing a much greater number of additional commercial uses.

Zoning Bylaw Amendment 19-8X1: Districts Enumerated. Creation of Mixed Business Innovation Zoning District

Zoning Bylaw Amendment 19-8X1 creates the Mixed Business Innovation (MBI) Zoning District by adding its name and a description of intent to §185-4 of the Zoning Bylaw. As mentioned above the intent of the new Zoning District is to allow existing manufacturing and warehouse/distribution uses, and also allow a much greater range of allowed commercial uses.

The specific intent wording is as follows:

The Mixed Business Innovation District (MBI) is intended primarily for a mix of light industrial and commercial uses in an older industrial neighborhood. A strong emphasis is placed on encouraging reuse and redevelopment of older manufacturing and warehouse buildings, providing for a wide range of light industrial, commercial, cultural, institutional, or entertainment uses, including business incubator, co-working space, studio space, artisanal or craft maker space, art galleries, public art, performance venues, restaurants, cafes and retail that create and support a diverse economically and culturally rich environment. Residential uses and heavy manufacturing uses are not allowed.

Zoning Bylaw Amendment 19-8X2: Mixed Business Innovation Zone Use Regulations

Zoning Bylaw Amendment 19-8X2 adds the MBI Zoning District to the Use Regulations Schedule (Part I through Part VII) in Attachments 2 through 8 of the Town's Zoning Bylaw. Given the substantial residential neighborhoods adjacent to the proposed MBI district, the new zoning district would eliminate heavy industrial uses and permit less undesirable uses.

In addition to adding a column for the MBI district to the Use Regulations Schedule, Zoning Bylaw Amendment 19-8X2 adds three uses to the Use Regulations Schedule: 1.) Business Incubator and Co-working Space; 2.) Artisanal and Craft Maker Space; and 3.) Art Gallery.

Two notes have been added to the Use Regulations Schedule:

- A note is added to Attachment 3 related to restaurants and retail establishments:
Allowed as part of a commercial mixed-use development. Stand alone restaurants and retail establishments are not allowed.

- A note is added to Attachment 4 related to use of hazardous materials:

All forms, solid, liquid and gas, of the following classes of hazardous materials shall be prohibited from the zone: Corrosives; Organic Peroxides; Oxidizers Pyrophoric; Toxic and Highly toxic; Unstable; and Water Reactive.

This regulatory wording was found necessary to limit the use of hazardous materials of concern, given the proposed MBI Zoning District is directly adjacent to many residential properties.

Zoning Bylaw Amendment 19-8X3: Mixed Business Innovation Zone Dimensional Regulations

Zoning Bylaw Amendment 19-8X3 adds the MBI Zoning District to the Zoning Bylaw's Schedule of Lot, Area, Frontage, Yard and Height Requirements in Attachment 9. Dimensional regulations for the proposed Mixed Business Innovation Zoning District are the same as the current Industrial Zoning District with one exception. Currently in the Industrial Zoning District the maximum building height could be as much as 60 feet by Planning Board special permit. The proposed MBI Zoning District would have a maximum building height of 50 feet by Planning Board special permit. The 50 feet maximum is the same as currently allowed in the Business, Commercial I, and Commercial II Zoning Districts.

Zoning Bylaw Amendment 19-8X4: Changes to §185-20. Signs, Mixed Business Innovation Zoning District

Zoning Bylaw Amendment 19-8X4 adds the new Mixed Business Innovation Zoning District to the Commercial and Business Corridor (CBC) Sign District. Other zoning districts within the CBC Sign District are Business, Commercial I, Commercial II and Limited Industrial.

Zoning Map Amendment 19-8X5: Zoning Map Changes from Industrial to Mixed Business Innovation an Area on or near Fisher and Hayward Streets

Zoning Map Amendment 19-8X5 is a simple Zoning Map Amendment changing the seven parcels discussed above from Industrial Zoning District to the new Mixed Business Innovation Zoning District. Owners of the seven parcels are being contacted and informed of the proposed zoning change.

Zoning Bylaw Amendment 19-8X6: Changes to Sign District Overlay Map, Mixed Business Innovation Zoning District

Zoning Bylaw Amendment 19-8X6: Updates the Sign District Overlay Map to reflect the Zoning Map changes in Zoning Map Amendment 19-8X5 above.

TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 19-8X1
CREATION OF MIXED BUSINESS INNOVATION ZONING DISTRICT
A ZONING BY-LAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT
CHAPTER 185, SECTION 4, DISTRICTS ENUMERATED

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

Chapter 185 of the Code of the Town of Franklin is hereby amended by adding text at §185-4. Districts Enumerated as follows:

Add to the end of §185-4.A a line stating:

Mixed Business Innovation (MBI)

Add to the end of §185-4.C a paragraph stating:

(15) The Mixed Business Innovation District (MBI) is intended primarily for a mix of light industrial and commercial uses in an older industrial neighborhood. A strong emphasis is placed on encouraging reuse and redevelopment of older manufacturing and warehouse buildings, providing for a wide range of light industrial, commercial, cultural, institutional, or entertainment uses, including business incubator, co-working space, studio space, artisanal or craft maker space, art galleries, public art, performance venues, restaurants, cafes and retail that create and support a diverse economically and culturally rich environment. Residential uses and heavy manufacturing uses are not allowed.

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

DATED: _____, 2019

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Teresa M. Burr
Town Clerk

ABSENT _____

Glenn Jones, Clerk

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 19-8X2
MIXED BUSINESS INNOVATION ZONE USE REGULATIONS
A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE AT
CHAPTER 185, USE REGULATION SCHEDULE PART I THROUGH PART VII**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

Chapter 185 of the Code of the Town of Franklin is hereby amended by the following **additions** to §185, Attachment 2 through Attachment 8 Use Regulations Schedule Part I through Part VII:

185 Attachment 2
USE REGULATION SCHEDULE
PART I

Symbols in the Use Regulations Schedule shall mean the following:

- Y = A permitted use.
N = An excluded or prohibited use.
BA = A use authorized under special permit from the Board of Appeals.
PB = A use authorized under special permit from the Planning Board.
P/SP = Permitted as of right. A special permit from the Board of Appeals is required if the proposed project results in an increase in estimated water consumption of more than 15,000 gallons per day.

Principal Uses	District													
	RRI RVI RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
1. Agriculture, horticulture and floriculture														
1.1 Nursery, greenhouse	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	N	Y	N
1.2 Produce stand ¹	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N
1.3 Other, parcel of 5 or more acres	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
1.4 Other, parcel under 5 acres:														Y
a. With swine or fur-bearing animals for commercial use	N	N	N	N	N	N	N	N	N	N	N	N	N	N
b. With other livestock or poultry	Y ²	Y ²	N	N	N	N	N	N	N	N	N	N	N	N
c. With no livestock	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N
1.5 Garden Center, Retail or Wholesale	PB	PB	PB	PB	PB	PB	PB	Y	N	Y	PB	PB	PB	PB

NOTES:

- For sale of produce raised or grown on the premises by the owner or lessee thereof.
- Provided that any building or structure is at least 100 feet from the nearest street or property line.

185 Attachment 3
USE REGULATION SCHEDULE
PART II

Symbols in the Use Regulations Schedule shall mean the following:

- Y = A permitted use.
N = An excluded or prohibited use.
BA = A use authorized under special permit from the Board of Appeals.
PB = A use authorized under special permit from the Planning Board.
P/SP = Permitted as of right. A special permit from the Board of Appeals is required if the proposed project results in an increase in estimated water consumption of more than 15,000 gallons per day.

Principal Uses	District												MBI
	RRI RRII RVI RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O
2. Commercial													
2.1 Adult entertainment establishment	N	N	N	N	N	N	N	N	N	N	N ²	N	N
2.2 Animal kennel, hospital	BA	BA	BA	BA	BA	N	BA	BA	N	BA	BA	BA	N
2.21 Animal day care, training	BA	BA	BA	BA	BA	N	BA	BA	N	BA	BA	BA	N
2.22 Animal grooming	BA	BA	BA	BA	BA	N	Y	BA	Y	BA	BA	BA	N
2.3 Office, excluding office parks:													
a. Bank or credit union	N	N	PB	PB	PB	N	Y	Y	Y	Y	Y	Y	N
b. Medical or dental	PB	PB	PB	PB	PB	N	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP
c. Professional	PB	PB	PB	PB	PB	N	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP
d. Clerical, or administrative	N	N	N	PB	PB	N	Y ⁶	Y	Y	Y	Y	Y	Y
2.4 Funeral home, undertaking	N	N	N	N	P/SP	N	P/SP	P/SP	P/SP	P/SP	N	N	N
2.5 Hotel, motel	N	N	N	N	N	N	PB	PB	Y	PB	PB	PB	N
2.6 Motor vehicle, boat, farm implement sales; rental and leasing:													
a. With repair service	N	N	N	N	N	N	N	PB	N	N	N	N	N
b. Without repair service	N	N	N	N	N	N	N	PB	N	PB	N	N	N
c. Other	N	N	N	N	N	N	N	PB	N	N	N	N	N
2.7 Motor vehicle service, repair:													
a. Auto body, painting, soldering, welding	N	N	N	N	N	N	N	PB	N	N	PB	N	N
b. Filling or service station	N	N	N	N	N	N	PB	PB	N	PB	PB	N	N
c. Other	N	N	N	N	N	N	PB	PB	N	PB	PB	N	N
2.8 Parking													
a. Parking facility	N	N	N	N	N	N	N	N	N	N	N	N	N
b. Off-street parking	N	N	N	N	N	N	N	N	PB	N	N	N	N
2.9 Restaurant, bar	N	N	N	N	N	N	P/SP ³	P/SP	P/SP ³	P/SP	PB	N ⁴	PB

185 Attachment 3
USE REGULATION SCHEDULE
PART II (Continued)

Principal Uses	District														
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
2.10 Shopping center	N	N	N	N	N	N	N	PB	PB	N	PB	N	N	N	N
2.11 Storage facility	N	N	N	N	N	N	N	N	N	N	N	PB	N	N	N
2.12 Tattoo parlor/body-piercing studio	N	N	N	N	N	N	N	N	N	N	N	PB	N	N	N
2.13 Tourist home	PB	PB	P/SP	P/SP	P/SP	P/SP	N	P/SP	P/SP	N	P/SP	N	N	N	N
2.14 Office park	N	N	N	N	N	PB	N	PB	PB	N	PB	PB	N	Y	PB
2.15 Other retail sales, services															
a. General	N	N	N	N	N	N	N	P/SP	P/SP	P/SP	P/SP	N ⁴	N ⁴	N ⁴	Y ⁸
b. Personal	N	N	N	N	N	P/SP ⁵	N ⁴	P/SP	P/SP	P/SP	P/SP	N ⁴	N ⁴	N ⁴	Y ⁸
c. Other	N	N	N	N	N	N	N	P/SP	P/SP	P/SP	P/SP	N ⁴	N ⁴	N ⁴	Y ⁸
2.16 Vehicular service establishment	N	N	N	N	N	N	N	PB	PB	PB	PB	N	N	PB	N
2.17 Trade center	N	N	N	N	N	N	N	N	N	N	N	N	P/SP	N	N
2.18 Catering	PB	PB	PB	PB	PB	PB	N	PB	PB	PB	PB	Y	Y	N	N ⁴
2.19 Function Hall	PB	PB	N	PB	PB	PB	N	PB	PB	PB	PB	Y	Y	N	N ⁴
2.20 Psychic services/fortune-telling	N	N	N	N	N	PB	N	N	N	N	N	PB	N	N	N
2.21 Bed-and-breakfast	PB	PB	P/SP	P/SP	P/SP	P/SP	N	P/SP	P/SP	P/SP	P/SP	N	N	N	N
2.22 Country Store	N	N	N	N	N	Y	PB	Y	Y	N	Y	N	N	N	N
2.23 Non-Medical Marijuana Facility	N	N	N	N	N	N	N	N	N	N	N	PB ⁷	N	N	N
2.24 Business Incubator and Co-working Space	N	N	N	N	PB	PB	PB	Y	Y	Y	Y	Y	Y	Y	Y
2.25 Artisanal and Craft Maker Space	N	N	N	N	PB	PB	PB	Y	Y	Y	Y	N	Y	Y	Y
2.26 Art Gallery	N	N	N	N	PB	PB	Y	Y	Y	Y	Y	N	N	Y	Y

NOTES:

1. If any part of a principal use is considered a VSE (see § 185-3, Definitions), the requirements for VSE must be met.
2. Except as permitted by a special permit within the Adult Use Overlay District as described in § 185-47.
3. Except BA if involving live or mechanical entertainment.
4. Only allowed as an accessory use to an otherwise permitted use as detailed in Use Regulations Schedule, Part VII, Accessory Uses.
5. Establishments are limited to a maximum gross building footprint of 2,800 square feet.
6. Not allowed on sidewalk level in multilevel development.
7. Non-Medical Marijuana Facilities may be permitted by Planning Board special permit in portions of the Industrial Zone which are in the Marijuana Use Overlay District, see §185-49.
8. Allowed as part of a commercial mixed-use development. Stand alone restaurants and retail establishments are not allowed.

185 Attachment 4
USE REGULATION SCHEDULE
PART III

Symbols in the Use Regulations Schedule shall mean the following:

- Y = A permitted use.
N = An excluded or prohibited use.
BA = A use authorized under special permit from the Board of Appeals.
PB = A use authorized under special permit from the Planning Board.
P/SP = Permitted as of right. A special permit from the Board of Appeals is required if the proposed project results in an increase in estimated water consumption of more than 15,000 gallons per day.

Principal Uses	District																O	MBI
	RR I RV I RV II	SFR III	SFR IV	GRV	NC	RB	CI	CII	DC	B	I	LI						
3. Industrial, utility																		
3.1 Bus, railroad station	N	N	N	N	N	N	P/SP	P/SP	P/SP	P/SP	P/SP	N	P/SP					
3.2 Contractor's yard																		
a. Landscape materials storage and distribution	N	N	N	N	N	N ⁷	N	N	N	N ⁷	P/SP	N	N					
b. Other	N	N	N	N	N	N	N	N	N	N ⁷	P/SP	N	N					
3.3 Earth removal																		
a. Earth removal, commercial ^{3,5,6}	N	N	N	N	N	N	BA	BA	BA	N	BA	N	BA					
b. Earth removal, other ^{3,4}	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	N	BA					
c. Rock quarrying	N	N	N	N	N	N	N	N	N	N	N	N	N					
d. Washing, sorting and/or crushing or processing of materials	N	N	N	N	N	N	N	N	N	N	N	N	N					
e. Production of concrete	N	N	N	N	N	N	N	N	N	N	N	N	N					
f. Production of bituminous concrete	N	N	N	N	N	N	N	N	N	N	N	N	N					
3.4 Lumberyard	N	N	N	N	N	N	N	N	N	N	PB	N	N					
3.5 Manufacturing and Processing:																		
a. Biotechnology ¹	N	N	N	N	N	N	N	N	N	N	N	Y	N					
b. Light	N	N	N	N	N	N	PB	PB	PB	PB	P/SP	N	PB					
c. Medium	N	N	N	N	N	N	N	N	N	N	P/SP	N	N					
d. Heavy	N	N	N	N	N	N	N	N	N	N	N	N	N					
3.6 Printing, publishing:																		
a. Under 5,000 square feet	N	N	N	N	N	N	P/SP	P/SP	P/SP	P/SP	P/SP	N	P/SP					
b. Over 5,000 square feet	N	N	N	N	N	N	N	N	N	N	P/SP	N	P/SP					

185 Attachment 4
USE REGULATION SCHEDULE
PART III (Continued)

Principal Uses	District															
	RR I RV I	RR II RV II	SFR III P/SP	SFR IV P/SP	GR V P/SP	NC	RB	CI	CII	DC	B	I	LI	O	MBI	
3.7 Public utility	N		N	N	P/SP	N	N	P/SP	P/SP	P/SP	P/SP	P/SP	N	P/SP	N	
a. Electric power plant																
3.8 Research and development:																
a. Biotechnology ¹	N		N	N	N	N	N	N	N	N	N	PB ²	N	PB ²	N	
b. Others	N		N	N	N	N	N	N	N	N	P/SP	P/SP	N	P/SP	P/SP	
3.9 Solid waste facility	N		N	N	N	N	N	N	N	N	N	BA	N	N	N	
3.10 Warehouse, distribution facility	N		N	N	N	N	N	N	N	N	PB	Y	N	N ⁷	Y	
3.11 Wholesale office, salesroom:																
a. With storage	N		N	N	N	N	N	N	P/SP	N	P/SP	P/SP	N	N ⁷	Y	
b. Without storage	N		N	N	N	N	N	P/SP	P/SP	P/SP	P/SP	Y	N ⁷	N ⁷	Y	
3.12 Conference center	N		N	N	N	N	N	PB	PB	N	PB	PB	P/SP	PB	P/SP	
3.13 Brewery, distillery, or winery production with tasting room	N		N	N	N	N	N	PB	PB	PB	PB	PB	PB	N	PB	

NOTES:

- Subject to § 185-42.
- Biotechnology uses are permitted in the portions of the Industrial District and Office District which are in the Biotechnology Uses Overlay District.
- See § 185-23, specifically, § 185-23A, Exemptions.
- See § 185-44, "Administration and enforcement," for general special permit filing information, and § 185-23, Earth removal regulations, for specific filing information.
- Any commercial earth removal is not permitted within a Water Resource District.
- See § 185-3 for "commercial earth removal" definition.
- Only allowed as an accessory use to an otherwise permitted use as detailed in Use Regulations Schedule, Part VII, Accessory Uses.
- All forms, solid, liquid and gas, of the following classes of hazardous materials shall be prohibited from the zone: Corrosives; Organic Peroxides; Oxidizers Pyrophorics; Toxic and Highly toxic; Unstable; and Water Reactive.

185 Attachment 5
USE REGULATION SCHEDULE
PART IV

Symbols in the Use Regulations Schedule shall mean the following:

- Y = A permitted use.
N = An excluded or prohibited use.
BA = A use authorized under special permit from the Board of Appeals.
PB = A use authorized under special permit from the Planning Board.
P/SP = Permitted as of right. A special permit from the Board of Appeals is required if the proposed project results in an increase in estimated water consumption of more than 15,000 gallons per day.

Principal Uses	District														
	RRI RVI RVII	SFRIII	SFRIIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI	
4. Institutional															
4.1 Cemetery	Y	Y	Y	N	N	N	N	N	N	N	N	N	N	N	
4.2 Hospital	N	N	N	N	N	N	N	PB	N	PB	PB	N	N	N	
a. Medical Marijuana Treatment Facility	N	N	N	N	N	N	N	N	N	N	PB ¹ PB ³	N	N	N	
b. Medical Marijuana Testing Facility	N	N	N	N	N	N	N	N	N	N	PB ¹ PB ³	N	N	N	
4.3 Charitable institution	N	N	N	PB	PB	N	Y	Y	PB	N	N	N	N	N	
4.4 Correctional facility	N	N	N	N	N	N	N	N	N	N	BA	N	N	N	
4.5 Library, museum, art gallery	N	Y	Y	Y	N	N	Y	Y	Y	Y	N	N	N	N	
4.6 Lodge, social nonprofit ¹	N	N	N	N	N	N	Y	Y	Y	Y	N	N	N	N	
4.7 Public use	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N ³ Y	N ³ Y	N ³ Y	Y	
a. Municipal public safety	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
4.8 Religious or educational use:															
a. Exempt from zoning prohibition ²	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
b. Dormitories	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	

NOTES:

- But not including any use, the principal activity of which is one customarily conducted as a business.
- See MGL c. 40A, § 3.
- Except for municipal public safety.
- Medical Marijuana Treatment Facilities and Testing Facilities may be permitted by Planning Board special permit in portions of the Industrial Zone which are in the Marijuana Use Overlay District, see §185-49.

185 Attachment 6
USE REGULATION SCHEDULE
PART V

Symbols in the Use Regulations Schedule shall mean the following:

- Y = A permitted use.
N = An excluded or prohibited use.
BA = A use authorized under special permit from the Board of Appeals.
PB = A use authorized under special permit from the Planning Board.
P/SP = Permitted as of right. A special permit from the Board of Appeals is required if the proposed project results in an increase in estimated water consumption of more than 15,000 gallons per day.

Principal Uses	District											O	MBI
	RRI	RRII	SFRVII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI
5. Recreational													
5.1 Indoor commercial amusement, recreation, assembly ²													
a. General	N		PB	PB	PB	PB	N	Y	Y	PB	Y	N	N
b. Concentrated ¹	N		N	N	N	N	N	PB	Y	PB	Y	N	N
5.2 Golf course and/or club, public or private	PB		PB	N	N	N	N	N	N	N	N	N	N
5.3 Movie theater	N		N	N	N	N	N	Y	PB	Y	PB	N	N
5.4 Outdoor commercial amusement, recreation													
a. Light	Y		Y	Y	Y	Y	N	Y	Y	Y	Y	Y	N
b. General	PB		PB	PB	PB	N	N	Y	Y	N	Y	Y	N
c. Concentrated	N		N	N	N	N	N	N	PB	N	PB	N	N
5.5 Equestrian center	BA		BA	N	N	N	N	N	N	N	N	N	N
5.6 Public recreation	Y		Y	Y	Y	N	N	Y	Y	Y	Y	N	N
5.7 Automatic amusement device arcades	N		N	N	N	N	N	N	Y	N	N	N	N
5.8 Health club	N		N	N	N	N	N	Y	Y	Y	Y	Y	Y

NOTES:

1. Provided that the building is so insulated and maintained as to confine noise to the premises and the structure is located not less than 100 feet from a residential district boundary.
2. Only allowed as an accessory use to an otherwise permitted use as detailed in Use Regulations Schedule Part VII, Accessory Uses.

185 Attachment 7
USE REGULATION SCHEDULE
PART VI

Symbols in the Use Regulations Schedule shall mean the following:

Y = A permitted use.

N = An excluded or prohibited use.

BA = A use authorized under special permit from the Board of Appeals.

PB = A use authorized under special permit from the Planning Board.

P/SP = Permitted as of right. A special permit from the Board of Appeals is required if the proposed project results in an increase in estimated water consumption of more than 15,000 gallons per day.

Principal Uses	District														
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
6. Residential															
6.1 Multifamily or apartment	N ¹		N	N	PB ³	PB ⁴	N	PB ³	N	Y ^{5,6}	N	N	N	PB ^{7,8}	N
6.2 Single-family	Y		Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N
6.3 Two-family															
a. New	N		N	Y ²	Y ²	Y ²	N	Y	Y	N	N	N	N	N	N
b. By conversion	BA		BA	BA	Y	Y	N	BA	Y	BA	N	N	N	N	N

NOTES:

1. Except PB in RVI District. (See § 185-38.)
2. Lot area must be at least 25% greater than that required for a single-family dwelling.
3. No more than one dwelling unit per 1,000 square feet of lot area may be permitted.
4. No more than one dwelling unit per 3,000 square feet of lot area may be permitted.
5. All dwelling units shall be located on floors above the street level floor.
6. No more than one dwelling unit per 2,000 square feet of lot area will be permitted; additional dwelling units may be allowed by Special Permit from the Planning Board.
7. All multi-family residential developments require a minimum of 5-acres.
8. No more than one dwelling unit per 3,000 square feet of lot area will be permitted.

185 Attachment 8
USE REGULATION SCHEDULE
PART VII

Symbols in the Use Regulations Schedule shall mean the following:

Y = A, permitted use.

N = A, not permitted use.

BA = A use authorized under special permit from the Board of Appeals.

PB = A use authorized under special permit from the Planning Board.

P/SP = Permitted as of right. A special permit from the Board of Appeals is required if the proposed project results in an increase in estimated water consumption of more than 15,000 gallons per day.

Accessory Uses	District										
	RRI RV	RRII RV	RRII RV	RRII RV	RRII RV	RRII RV	RRII RV	RRII RV	RRII RV	RRII RV	RRII RV
A1 Boarding	N	N	N	N	N	N	N	N	N	N	N
A2 Contractor's yard	N	N	N	N	N	N	N	N	N	N	N
a. Landscape materials storage and distribution	N	N	N	N	N	N	N	N	N	N	N
A3 Home occupation (See § 185-39B.)	N	N	N	N	N	N	N	N	N	N	N
A4 Manufacture, assembly, packing of goods sold on premises	N	N	N	N	N	N	N	N	N	N	N
A5 Off-street parking (See § 185-39C.)	N	N	N	N	N	N	N	N	N	N	N
A6 Professional office, studio (See § 185-39A.)	N	N	N	N	N	N	N	N	N	N	N
A7 Restaurant, bar	N	N	N	N	N	N	N	N	N	N	N
A8 Retail sale of nonagricultural products manufactured, warehoused or manufactured, warehoused or distributed on or from premises	N	N	N	N	N	N	N	N	N	N	N
A9 Scientific use in compliance with § 185-37	N	N	N	N	N	N	N	N	N	N	N
A10 Signs (See § 185-20.)	N	N	N	N	N	N	N	N	N	N	N
A11 Single-family dwelling for personnel required for safe operation	N	N	N	N	N	N	N	N	N	N	N
A12 Other customary accessory uses	N	N	N	N	N	N	N	N	N	N	N
A13 Other retail sales, services	N	N	N	N	N	N	N	N	N	N	N
A13.1 Animal grooming	N	N	N	N	N	N	N	N	N	N	N
A14 Operation of not more than 5 automatic amusement devices	N	N	N	N	N	N	N	N	N	N	N
A15 Warehouse/distribution facility	N	N	N	N	N	N	N	N	N	N	N
A16 Wholesale office, salesroom	N	N	N	N	N	N	N	N	N	N	N
a. With storage	N	N	N	N	N	N	N	N	N	N	N
b. Without storage	N	N	N	N	N	N	N	N	N	N	N
A17 Catering	N	N	N	N	N	N	N	N	N	N	N
A18 Function hall	N	N	N	N	N	N	N	N	N	N	N

NOTES:

1. But N if occupying more than 50% of the floor area occupied by the principal use and not more than five persons employed on the premises in the DC District and CI District and not more than 10 persons in the CII District and O District.
2. Provided that no more than 25% of the total floor space is used for display or retailing.
3. Such uses shall be restricted to seasonal operations only.
4. Accessory retail sales within a Country Store, as defined in §185-3, shall not exceed 50% of the establishment's floor area open to the public.

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

DATED: _____, 2018

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Teresa M. Burr
Town Clerk

ABSENT _____

Glenn Jones, Clerk

Sponsor: *Administration*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 19-8X3
MIXED BUSINESS INNOVATION ZONE DIMENSIONAL REGULATIONS
A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE AT
CHAPTER 185, SCHEDULE OF LOT, AREA, FRONTAGE, YARD
AND HEIGHT REQUIREMENTS**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

Chapter 185 of the Code of the Town of Franklin is hereby amended by the following **additions** to §185, Attachment 9 Schedule of Lot, Area, Frontage, Yard and Height Requirements:

Schedule of Lot, Area, Frontage, Yard and Height Requirements

District	Minimum Lot Dimensions				Minimum Yard Dimensions			Maximum Height of Building		Maximum Impervious Coverage of Existing Upland	
	Area (square feet)	Continuous Frontage (feet)	Depth (feet)	Lot Width (minimum circle diameter)	Front (feet)	Side (feet)	Rear (feet)	Stories	Feet	Structures	Structures Plus Paving ³
Rural Residential I	40,000	200	200	180 ⁴	40	40	40	3	35	20	25
Residential VI	40,000	200	200	180 ⁴	40	40	40	3	35	20	25
Residential VII ¹¹	40,000	200	200	180 ⁴	40	40	40	3	35	20 ¹²	25 ¹²
Rural Residential II	30,000	150	200	135 ⁴	40	35	35	3	35	20	25
Single Family Residential III	20,000	125	160	112.5	40	25	30	3	35	25	35
Single Family Residential IV	15,000	100	100	90	30	20	20	3	35	30	35
General Residential V	10,000	100	100	90	20	15	20	3	40	30	35
Neighborhood Commercial	18,000	100	100	90	20	30	40	3	35	30	35
Rural Business ¹³	40,000	200	200	180	40	30	40	1.5	30	10	30
Downtown Commercial	5,000	50	50	45	5 ¹⁰	0 ²	15	3 ⁹	40 ⁹	80	90
Commercial I ⁷	5,000	50	50	45	20 ¹	10 ¹⁴	15	3 ¹⁵	40 ¹⁵	80	90
Commercial II	40,000	175	200	157.5	40	30	30	3 ¹⁵	40 ¹⁵	70	80
Business	20,000	125	160	112.5	40	20	30	3 ¹⁵	40 ¹⁵	70	80
Mixed Business Innovation	40,000	175	200	157.5	40	30 ⁵	30 ⁵	3 ¹⁵	40 ¹⁵	70	80
Industrial	40,000	175	200	157.5	40	30 ⁵	30 ⁵	3 ⁶	-	70	80
Limited Industrial	40,000	175	200	157.5	40	30 ⁸	30 ⁸	3 ⁶	40 ⁶	70	80
Office	40,000	100	100	90	20	30 ⁵	30 ⁵	3 ⁶	40 ⁶	70	80

Setbacks: No structure or pole carrying overhead wires shall be put up within 60 feet nor shall a billboard be erected within 100 feet of right-of-way which is 75 feet or more.

NOTES:

- ¹ But no new structure shall be required to provide a deeper yard than that existing on that parcel upon adoption of this amendment.
- ² Increase to 20 feet when abutting a residential district.
- ³ See definition of Upland §185-3, §185-36. Impervious Surfaces and §185-40. Water Resource District.
- ⁴ Within open space developments (see § 185-43), the lot width must be met for individual lots shall be no less than 1/2 those required within the underlying district.
- ⁵ Increase by the common building height of the structure, when abutting a residential use.
- ⁶ Buildings up to 60 feet in height may be permitted by a special permit from the Planning Board.
- ⁷ Permitted residential uses must observe requirements of General Residential V District for residential use building only. Mixed use buildings are exempt from this requirement.
- ⁸ Increase by 1.5 the common building height of a structure, when abutting a residential district or use.
- ⁹ Buildings up to 50 feet in height may be permitted by a special permit from the Planning Board provided the structure is set back at least 15 feet from frontage.
- ¹⁰ Minimum 5' setback required on first floor, street level; upper floors can overhang required first floor set back.
- ¹¹ See §185-50.
- ¹² Total impervious surface in the upland shall be no more than 50% if a special permit for multiple, single-family dwelling units is granted in RVII.
- ¹³ Maximum gross building footprint of non-residential primary use structures is 3,500 square feet.
- ¹⁴ The 10 feet side setback is only required on one side of lot; if lot abuts a residential district, a twenty feet setback is required on the abutting side.

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

DATED: _____, 2018

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Teresa M. Burr
Town Clerk

ABSENT _____

Glenn Jones, Clerk

TOWN OF FRANKLIN
ZONING BYLAW AMENDMENT 19-8X4:
CHANGES TO §185-20. SIGNS,
MIXED BUSINESS INNOVATION ZONING DISTRICT
A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE
AT CHAPTER 185, SECTION 20. SIGNS

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

Chapter 185 of the Code of the Town of Franklin is hereby amended by the following **additions** to §185-20 Signs:

§ 185-20 Signs.

B. Applicability

- (3) This bylaw establishes four separate sign districts with different regulations within each district (See Attachment 10, Schedule of Permitted Signs per Sign District). These districts are delineated on the map entitled Town of Franklin Sign Districts and created under 185-4, Districts enumerated.
 - (a) The Downtown Commercial District (hereafter DCD) consists of parcels within the Downtown Commercial and Rural Business Zoning Districts.
 - (b) The Commercial and Business Corridor District (hereafter CBCD) consists of parcels within the Commercial I, Commercial II, Business, **Mixed Business Innovation**, and Limited Industrial Zoning Districts.
 - (c) The Industrial and Office Park District (hereafter IOPD) consists of parcels within the Industrial and Office Zoning Districts.
 - (d) The Residential District (hereafter RD) consists of parcels within all residential zoning districts.

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

DATED: _____, 2018

VOTED:
UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Teresa M. Burr
Town Clerk

ABSENT _____

Glenn Jones, Clerk

SPONSOR: *Town Administration*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 19-8X5**

**ZONING MAP CHANGES FROM INDUSTRIAL TO
MIXED BUSINESS INNOVATION AN AREA
ON OR NEAR FISHER AND HAYWARD STREETS**

**A ZONING BY-LAW AMENDMENT TO THE CODE OF THE TOWN OF
FRANKLIN AT CHAPTER 185 SECTION 5, ZONING MAP**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT: The Code of the Town of Franklin is hereby amended by making the following amendments to §185-5, Zoning Map:

That the Zoning Map of the Town of Franklin be amended by changing from Industrial to Mixed Use Innovation an area containing **35.529± acres**, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

278-016-000	278-025-000	287-116-000
278-024-000	287-115-000	287-126-000
278-024-001		

The area to be rezoned is shown on the attached map ("Proposed Zoning Map Changes, An Area On Or Near Fisher and Hayward Streets").

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

DATED: _____, 2018

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

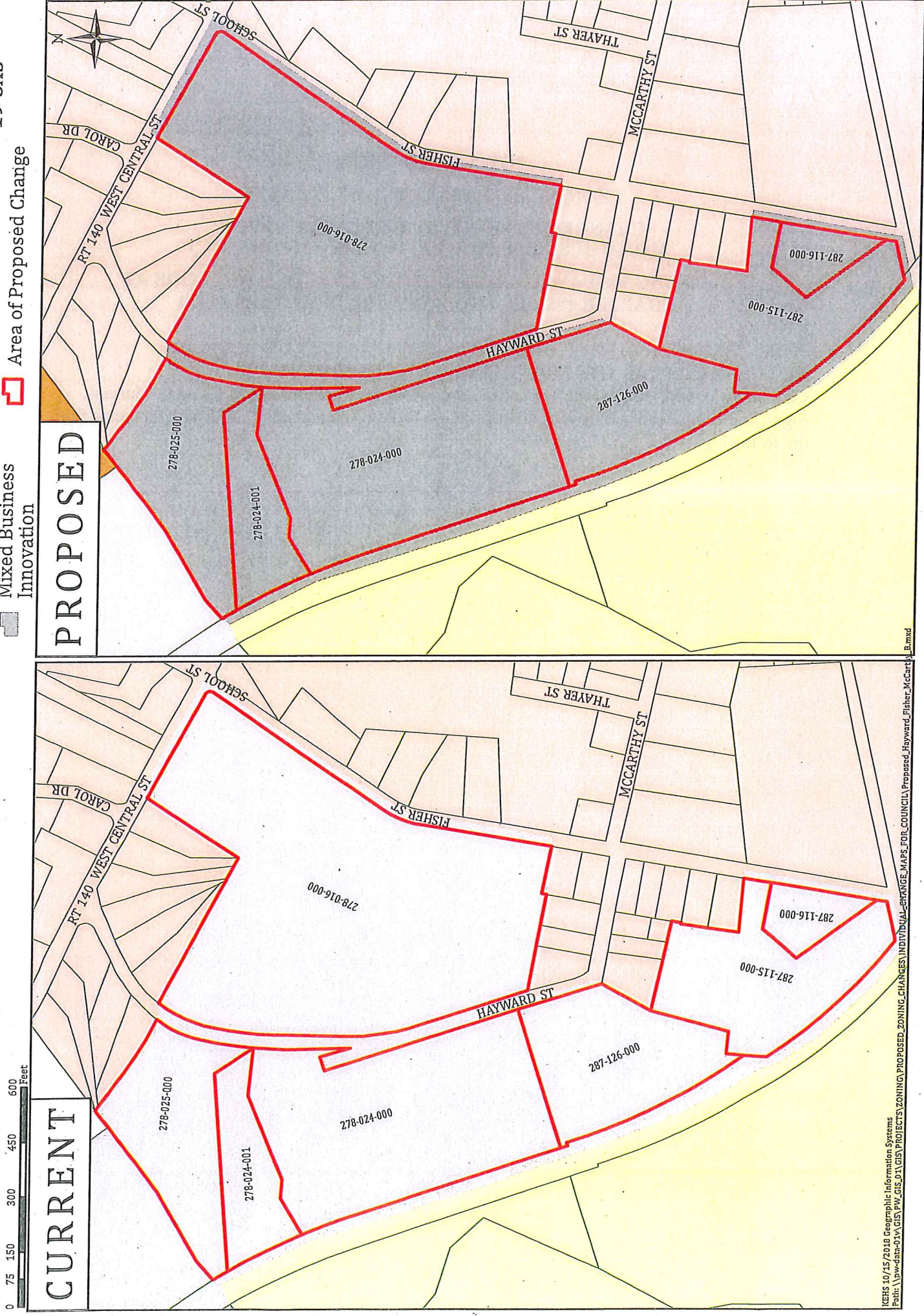
ABSTAIN _____

**Teresa M. Burr
Town Clerk**

ABSENT _____

Glenn Jones, Clerk

 General Residential V
 Rural Residential I
 Industrial
 Single-Family IV
 Mixed Business Innovation
 Area of Proposed Change
 ~ Parcel Line
 19-8X5



TOWN OF FRANKLIN

ZONING BY-LAW AMENDMENT 19-8X6

**CHANGES TO SIGN DISTRICT OVERLAY MAP,
MIXED BUSINESS INNOVATION ZONING DISTRICT**

**A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE AT
CHAPTER 185, SECTION 4 DISTRICTS ENUMERATED**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

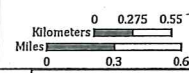
Chapter 185 of the Code of the Town of Franklin is hereby amended by deleting the current Sign District Map created by adoption of Zoning Bylaw Amendment 12-671, and replacing with the following:

SIGN Districts

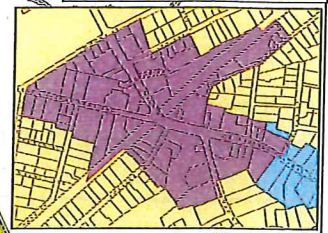
- Commercial and Business Corridor District
- Downtown Commercial District
- Industrial & Office Park District
- Residential District

- Parcel Line
- Water
- Municipal Boundary

19-8X6

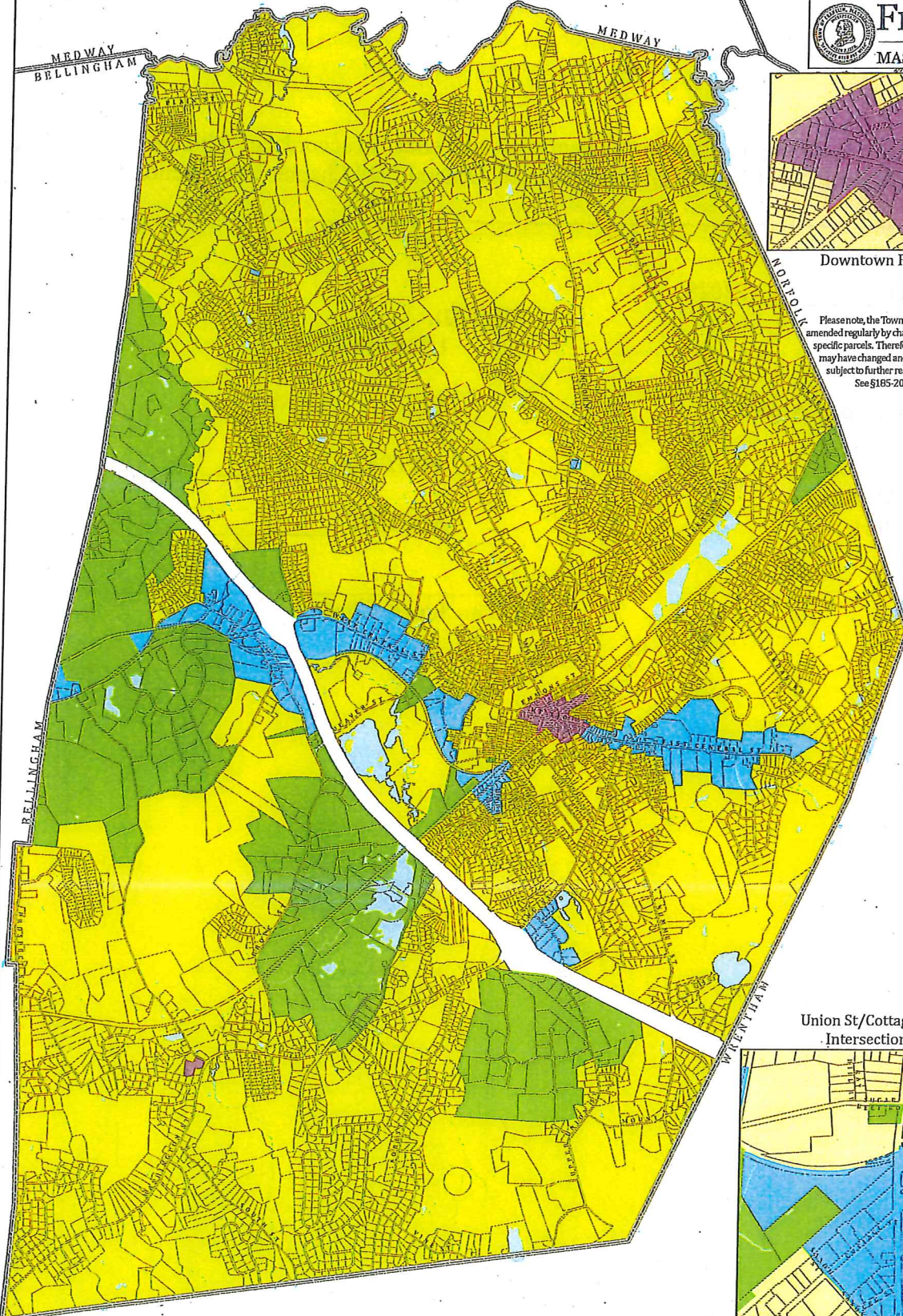


Franklin
MASSACHUSETTS

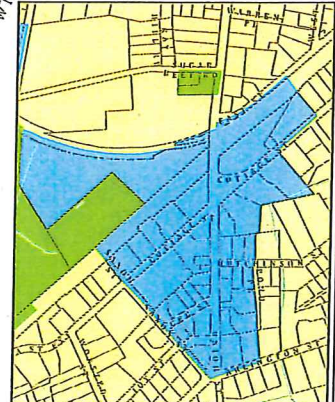


Downtown Franklin

Please note, the Town of Franklin's Zoning Map is amended regularly by changing the zoning district of specific parcels. Therefore the sign districts shown may have changed and individual parcels may be subject to further restrictions upon application. See §185-20 for additional information.



Union St/Cottage St Intersection



Sign District Overlay Map Adopted March 21, 2012 by
Zoning Bylaw Amendment 12-671
Amended through January ____, 2019 by Zoning Bylaw Amendment 19-8X6

- Amendment 18-824: 12-xx-2018
- Amendment 19-8X6: 1-xx-2019.

In maintaining its GIS Data, the Town of Franklin has made every effort to ensure the accuracy, currency and reliability of the content thereof; however, errors can occur. It is expressly understood and agreed that in producing this information, the Town of Franklin, its officials, agents, servants and employees does not warrant or guarantee the information it has provided, nor does it accept responsibility for any errors contained therein. In no event shall the Town of Franklin, its officials, agents, servants and employees be deemed or held obligated, liable, or accountable for any loss or damage incurred or resulting from the use of the information provided.

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

DATED: _____, 2018

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Teresa M. Burr
Town Clerk

ABSENT _____

Glenn Jones, Clerk