

**Economic Development Subcommittee
April 11, 2018
Minutes**

TOWN OF FRANKLIN
TOWN CLERK
2018 APR 18 A 8:49
RECEIVED

Members present: Thomas Mercer, Melanie Hamblen, Eamon McCarthy Earls, Glenn Jones.

Also in attendance: Town Administrator Jeffrey Nutting, Deputy Town Administrator Jamie Hellen, Planning Director Bryan Taberner and Planner Amy Love.

The meeting was called to order at 5:45 PM.

Solar – Mr. Taberner provided an overview of proposed Zoning Bylaw amendments related to ground mounted solar panels. The revisions would involve including solar in the Accessory Use by-law. There was discussion on different options for setbacks. Mr. Taberner said the revisions were not ready to move forward on and should be continued to the next meeting. The subcommittee will discuss again at the next meeting.

Lot Line Cleanup

Fisher Street & Hayward Street – Mr. Taberner gave an overview the lots involved that will be re-zoned or existing zoning be expanded on the lots. Motion by Councilor Mercer and seconded by Councilor Earls to recommend to the Town Council (4-0-0).

Raymond Street – Mr. Taberner reviewed the proposed lots for zoning changes. Motion by Councilor Jones and seconded by Councilor Hamblen to recommend to the Town Council (4-0-0).

Union Street Neighborhood – Mr. Taberner gave an overview of the neighborhood with many lots being split lots. These changes would provide lots to be in one zoning district. Motion by Councilor Jones and seconded by Councilor Earls to recommend to the Town Council (4-0-0).

Commercial I Changes – Mr. Taberner provided an overview of draft bylaw amendment for height, setbacks and impervious changes. Changes were also proposed for parking requiring one parking space per 500 feet of commercial floor area and 1.5 spaces for each residential unit within the CI district. There was discussion if the dimensional changes were too restrictive and if development would be feasible. Mr. Taberner said a majority of the existing buildings would still conform to zoning with these changes.

Dimension regulations – Committee agreed to continue discussion at the May meeting

Parking - Motion by Councilor Jones and seconded by Councilor Earls to recommend to the Town Council (3-0-1). Councilor Hamblen abstained from the vote.

Economic Development Overview – Mr. Taberner provided a detailed explanation of what Economic Development is and what the Town has done for Economic Development. Mr. Taberner provided several handouts of advertising that has been put together to promote the Town of Franklin. Handouts are attached to the meeting minutes.

Other items on the Agenda that were not discussed due to time limitation:
R7 and Over 55 Housing and Inclusionary zoning

Meeting Adjourned at 6:50 PM

The next meeting is scheduled for May 9 at 5:45PM.

Ground-mounted Solar

Proposal for Consideration

Regulate ground-mounted solar equipment as "accessory structures". Gus Brown recommends no solar structures in front yard and requiring a 40 feet setback in rear and side yards. Limitations on height should be considered especially in residential zoning districts.

Given that Section 185-19 Accessory buildings and structures, and related definitions in 185-3 need improvements, DPCD recommends changes to the following:

§ 185-3. Definitions.

- Delete current "Accessory building or use" definition.
- Add "Accessory building or structure" definition
- Add "Accessory use" definition.
- Add "Solar" related definitions, including
 - Small-scale Ground-mounted solar energy system
 - Medium-scale Ground-mounted solar energy system
 - Large-scale Ground-mounted solar energy system

§ 185-19 Accessory buildings and structures

- Completely rewrite section, and create several subsections
 - Setbacks (rewrite wording in current 185-19)
 - Include "The following setbacks shall apply to all accessory buildings and structures, unless noted otherwise in other sections of Chapter 185".
 - Pools (use wording currently in "Accessory building or use" definition)
 - Free standing signs (Develop sentence referring to Sign Bylaw)
 - Ground-mounted solar energy systems
 - Insert wording for ground-mounted solar accessory structures, including subsections on:
 - Setbacks for Ground-mounted solar energy systems
 - Parcels within or adjacent to Residential Zoning Districts
 - Front yard setbacks: Accessory structures, including those related to ground-mounted solar energy systems, are not allowed.
 - Side and rear yard setbacks: 40 feet
 - Parcels not within or adjacent to Residential Zoning Districts
 - Front yard setbacks: Accessory structures, including those related to ground-mounted solar energy systems, are not allowed.
 - Side and rear yard setbacks: 10 feet
 - Height limitations

§ 185-7. Compliance required

- Add the following Primary Uses into the Use Regulations Schedule at Part III Industrial, utility.
 - Small-Scale Ground-Mounted Solar Energy System
 - Medium-Scale Ground-Mounted Solar Energy System (not in most Residential zones)
 - Large-Scale Ground-Mounted Solar Energy System (not in Residential zones)
- Add the following Accessory Uses into the Use Regulations Schedule at Part VII Accessory Uses.
 - Small-Scale Ground-Mounted Solar Energy System
 - Medium-Scale Ground-Mounted Solar Energy System (not in Residential zones)

185 Attachment 4
USE REGULATION SCHEDULE
PART III (Continued)

Principal Uses	District												
	RRI P/SP	RRII P/SP	RRIII P/SP	SFRIV P/SP	GRV P/SP	NC	RB	CI P/SP	CII P/SP	DC	B	I	O
3.7 Public utility	N	N	N	N	N	N	N	N	N	N	N	N	N
3.8 Research and development:													
a. Electric power plant	N	N	N	N	N	N	N	N	N	N	N	N	N
b. Others	N	N	N	N	N	N	N	N	N	N	N	N	N
3.9 Solid waste facility	N	N	N	N	N	N	N	N	N	N	N	N	N
3.10 Warehouse, distribution facility	N	N	N	N	N	N	N	N	N	N	N	N	N
3.11 Wholesale office, salesroom:													
a. With storage	N	N	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	N	N
3.12 Conference center	N	N	N	N	N	N	N	N	N	N	N	N	N
3.13 Brewery, distillery, or winery production with tasting room	N	N	N	N	N	N	N	N	N	N	N	N	N
3.14 Ground-mounted Solar Energy System													
a. Small-scale	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
b. Medium-scale	N	N	N	N	N	N	N	N	N	N	N	N	N
c. Large-scale	N	N	N	N	N	N	N	N	N	N	N	N	N

NOTES:

1. Subject to § 185-42.
2. Biotechnology uses are permitted in the portions of the Industrial District and Office District which are in the Biotechnology Uses Overlay District.
3. See § 185-23, specifically, § 185-23A, Exemptions.
4. See § 185-44, "Administration and enforcement," for general special permit filing information, and § 185-23, Earth removal regulations, for specific filing information.
5. Any commercial earth removal is not permitted within a Water Resource District.
6. See § 185-3 for "commercial earth removal" definition.
7. Only allowed as an accessory use to an otherwise permitted use as detailed in Use Regulations Schedule, Part VII, Accessory Uses.

185 Attachment 8
USE REGULATION SCHEDULE
PART VII

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/SF = 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													
	RR	RI	RRII	RV	RVII	SFR	III	SFR	IV	GRV	NC	PB	CI	CH
A1 Boarding	N					Y				Y	Y	N	Y	Y
A2 Contractor's yard	N					N				N	N	N	N	N
a. Landscape materials storage and distribution														
A3 Home occupation (See § 185-39B.)	N					N				N	Y ³	Y ³	N	N
A4 Manufacture, assembly, packing of goods sold on premises	N					Y				Y	Y	Y	Y	Y
A5 Off-street parking (See § 185-39C.)	N					N				N	Y ¹	N	Y ¹	Y ¹
A6 Professional office, studio (See § 185-39A.)	Y					Y				Y	Y	Y	Y	Y
A7 Restaurant, bar	Y					Y				Y	Y	Y	Y	Y
A8 Retail sale of nonagricultural products manufactured, warehoused or manufactured, warehoused or distributed on or from premises	N					N				N	N	N	Y	Y
A9 Scientific use in compliance with § 185-37	N					N				N	Y	N	Y	Y ²
A10 Signs (See § 185-20.)	BA					BA				BA	BA	N	BA	BA
A11 Single-family dwelling for personnel required for safe operation	Y					Y				Y	Y	Y	Y	Y
A12 Other customary accessory uses	Y					Y				Y	Y	N	Y	Y
A13 Other retail sales, services	Y					Y				Y	Y	N	Y	Y
A13.1 Animal grooming	N					N				N	Y	N ⁴	Y	Y
A14 Operation of not more than 5 automatic amusement devices	BA					BA				BA	BA	N	Y	Y
A15 Warehouse/distribution facility	N					N				N	N	N	N	BA
A16 Wholesale office, salesroom	N					N				N	N	N	Y	N
a. With storage														
b. Without storage														
A17 Catering	N					N				N	N	N	Y	Y
A18 Function hall	N					N				PB	PB	N	Y	Y ²
A19 Ground-mounted Solar Energy System	N					N				PB	PB	N	Y	Y
a. Small-scale														
b. Medium-scale														
	Y					Y				Y	Y	Y	Y	Y
	N					N				N	N	N	N	N

NOTES:

1. But N if occupying more than 30% 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 CH 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.

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 ZONING MAP AMENDMENT 18-XX2,
ON AND NEAR FISHER, HAYWARD AND MCCARTHY STREETS
CC: JAMIE HELLEN, DEPUTY TOWN ADMINISTRATOR
AMY LOVE, PLANNER
DATE: APRIL 4, 2018

The Department of Planning and Community Development (DPCD) and other Town staff are working to amend the Town's existing Zoning Map (Chapter 185, Section 5, of Franklin Town Code) in an area on and near Fisher, Hayward and McCarthy Streets. The reasons for the proposed Zoning Map changes are as follows:

- Town staff are undergoing a project to better define the Town's zoning districts by following parcel lines. Where parcels are within two or more zoning districts the subject Zoning Map Amendment will move the Zoning District line so each parcel is only in one zoning district, in most cases based on the current land use.
- Several residential properties are within the Industrial Zoning District; the subject Zoning Map Amendment will rezone these parcels to the Single Family Residential IV Zoning District.

The Economic Development Committee will discuss the proposed changes at their April 11, 2018 meeting. If the Committee supports the proposed zoning map amendment, the issue should be scheduled for a Town Council meeting in the near future for further consideration.

Attached are the following:

- A list of parcels proposed for rezoning;
- Bylaw Zoning Amendment 18-xx2; and
- A diagram with two maps: one showing the current zoning in the area, and one showing proposed Zoning Map changes.

Please let me know if you have questions or require additional information.

Proposed Zoning Map Amendment

2

Industrial, or Industrial & Single Family Residential IV, or Industrial & Rural Residential I, or Rural Residential I to Single Family Residential IV or Industrial

An Area On Or Near Fisher, Hayward and McCarthy Streets

Parcel	Location	Size (acres)	Owners	From	To
278-016-000	5 Fisher Street	14.75000	CCMcD Property LLC	I & SFRIV	I
287-102-000	40 McCarthy Street	1.26400	J. Greenwood, K. Greenwood, P. Glenn & M A H	I & SFRIV	SFRIV
287-103-000	52 McCarthy Street	0.69842	C.J. Harvey	I & SFRIV	SFRIV
287-104-000	58 McCarthy Street	0.83455	R.A. & B.J. Pisani	I & SFRIV	SFRIV
287-105-000	McCarthy Street	1.11900	Town of Franklin	I & SFRIV	SFRIV
287-106-000	Fisher Street	4.50000	Town of Franklin	I	SFRIV
287-107-000	Sugar Beet Road	3.20000	Town of Franklin	I	SFRIV
287-109-000	269 Fisher Street	43.12000	Town of Franklin	I & RRI	I
287-117-000	127 Fisher Street	0.27858	R. Henault	I	SFRIV
287-118-000-000	121 Fisher Street	0.25629	The 121 Fisher St Condo. c/o G. Deforge	I	SFRIV
287-118-000-001	121 Fisher Street	0.00000	G. T. Deforge. J. Deforge	I	SFRIV
287-118-000-002	121 Fisher Street - Unit 2	0.00000	J.E. Moore	I	SFRIV
287-119-000	115 Fisher Street	0.23871	S. King. D. King	I & SFRIV	SFRIV
287-125-000	24 Hayward Street	0.40000	D.L. Eisenhauer. P.L. Eisenhauer	I	SFRIV
287-127-000	25 Hayward Street	0.32137	O. Ndoye	I	SFRIV
296-210-000	300 Fisher Street	18.25900	BJAT LLC	I & RRI	I
296-211-000	Fisher Street	1.09600	Town of Franklin	RRI	I
Total Area		90.33592			

I = Industrial Zoning District

SFRIV = Single Family Residential IV Zoning District

RRI = Rural Residential I Zoning District

SPONSOR: *Town Administration*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 18-XX2**

ZONING MAP CHANGES FROM INDUSTRIAL, OR INDUSTRIAL & SINGLE FAMILY RESIDENTIAL IV, OR INDUSTRIAL & RURAL RESIDENTIAL I, OR RURAL RESIDENTIAL I, TO SINGLE FAMILY RESIDENTIAL IV OR INDUSTRIAL AN AREA ON OR NEAR FISHER, HAYWARD AND MCCARTHY 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 and Single Family Residential IV to Industrial parcel number **278-016-000** containing **14.75 acres**, as shown on the Town of Franklin's Assessor's Maps

And the Zoning Map of the Town of Franklin be amended by changing from Industrial and Single Family Residential IV to Single Family Residential IV an area containing **4.15± acres**, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

287-102-000

287-103-000

287-104-000

287-105-000

287-119-000

And the Zoning Map of the Town of Franklin be amended by changing from Industrial to Single Family Residential IV an area containing **8.96± acres**, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

287-106-000

287-107-000

287-117-000

287-118-000

287-125-000

287-127-000

And the Zoning Map of the Town of Franklin be amended by changing from Industrial & Rural Residential I to Industrial an area containing **61.38± acres**, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

287-109-000

296-211-000

And the Zoning Map of the Town of Franklin be amended by changing from Rural Residential I to Industrial parcel number **296-211-000** containing an area containing **1.1± acres**, as shown on the Town of Franklin's Assessor's Maps

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

Teresa M. Burr
Town Clerk

ABSTAIN _____

ABSENT _____

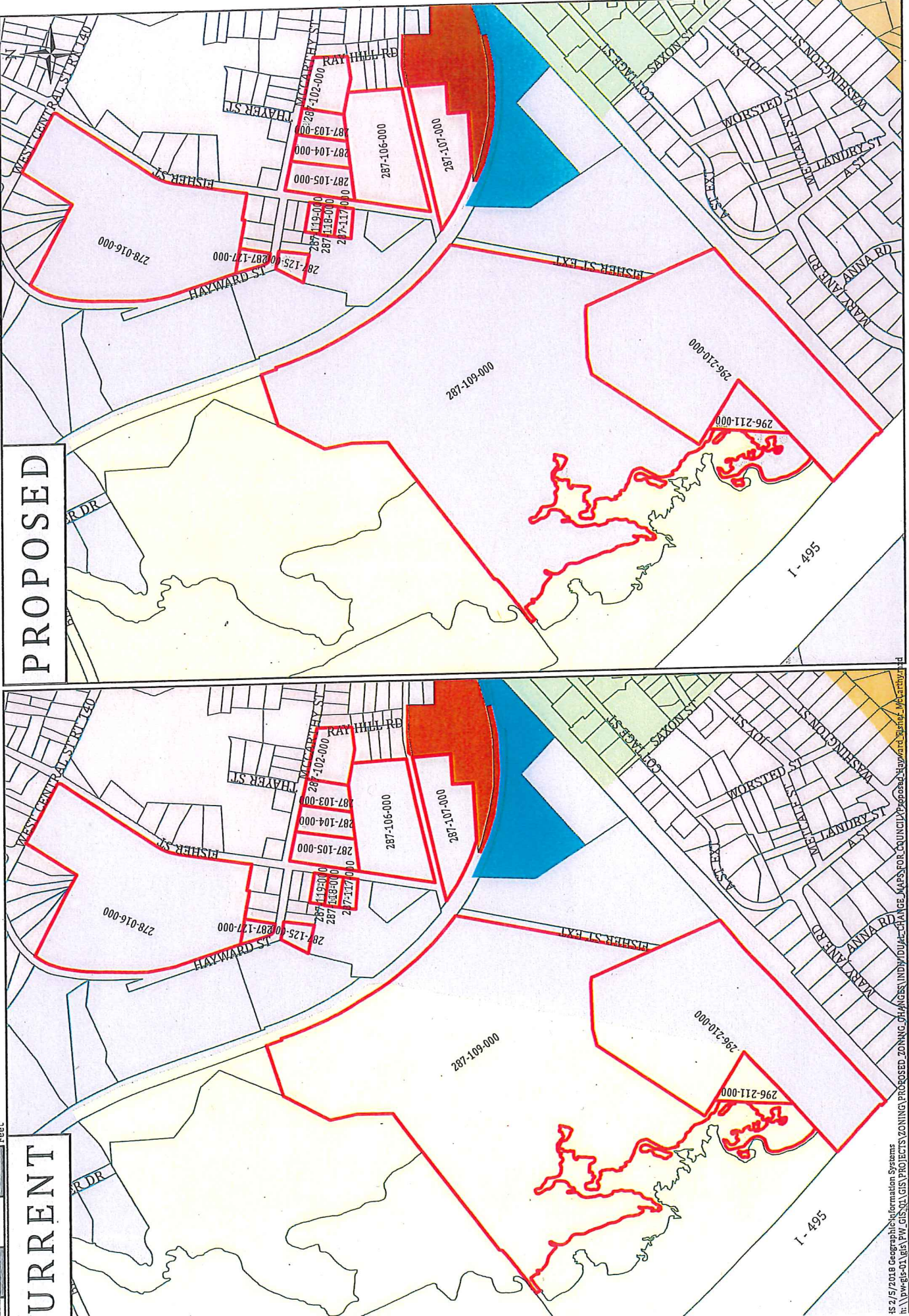
Glenn Jones, Clerk

Proposed Zoning Map Changes, An Area On Or Fisher, Hayward and McCarthy Streets

Industrial or Industrial & Single Family Residential IV or Industrial & Rural
Residential I or Rural Residential I to Single Family Residential IV or Industrial

- Business
- Commercial I
- Industrial
- Residential VI
- Rural Residential I
- Single-Family III
- Single-Family IV
- Area of Proposed Change

18-XX2



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 ZONING MAP AMENDMENT 18-XX1,
ON AND NEAR EDWARDS-RAYMOND-BEAVER STREETS
CC: JAMIE HELLEN, DEPUTY TOWN ADMINISTRATOR
AMY LOVE, PLANNER
DATE: APRIL 4, 2018

The Department of Planning and Community Development (DPCD) and other Town staff are working to amend the Town's existing Zoning Map (Chapter 185, Section 5, of Franklin Town Code) in an area on and near Edwards, Raymond, and Beaver Streets. The reasons for the proposed Zoning Map changes are twofold:

- Several residential properties on Edwards and Raymond Streets are within the Commercial II Zoning District; the subject Zoning Map Amendment will rezone these parcels to the Single Family Residential IV Zoning District.
- Town staff are undergoing a project to better define the Town's zoning districts by following parcel lines. Where parcels are within two or more zoning districts the subject Zoning Map Amendment will move the Zoning District line so each parcel is only in one zoning district, in most cases based on the current land use.

The Economic Development Committee will discuss the proposed changes at their April 11, 2018 meeting. If the Committee supports the proposed zoning map amendment, the issue should be scheduled for a Town Council meeting in the near future for further consideration.

Attached are the following:

- A list of parcels proposed for rezoning;
- Bylaw Zoning Amendment 18-xx1; and
- A diagram with two maps: one showing the current zoning in the area, and one showing proposed Zoning Map changes.

Please let me know if you have questions or require additional information.

Proposed Zoning Map Amendment

Commercial II, or Rural Residential II & Single Family Residential IV,
to Rural Residential II or Single Family Residential IV

An Area On Or Near Edwards, Raymond and Beaver Streets

Parcel	Location	Size (acres)	Owners	From	To
269-044-000	Pontion Ave	0.65744	Town of Franklin	CII	RRII
269-045-000	Pontion Ave	0.3377	Town of Franklin	CII	RRII
269-046-000-000	17-19 Edwards Street	0.22957	Franklin Condominium IV c/o S.M. Fraser	CII	SFRIV
269-046-000-001	19 Edwards Street	0.00000	S.M. Fraser, D.A. Fraser	CII	SFRIV
269-046-000-002	17 Edwards Street	0.00000	J.M. Xayaveth, P.J. Xayaveth	CII	SFRIV
269-047-000-000	13-15 Edwards Street	1.21600	Franklin Condominium I c/o J. Halligan, TR	CII	SFRIV
269-047-000-001	13 Edwards Street	0.00000	Marcus Properties LLC	CII	SFRIV
269-047-000-002	15 Edwards Street	0.00000	Marcus Properties LLC	CII	SFRIV
269-049-000-000	5-7 Edwards Street	0.11478	Edwards Street Condominium c/o M.W. Sawe	CII	SFRIV
269-049-000-001	7 Edwards Street	0.00000	R.J. Larosa	CII	SFRIV
269-049-000-002	5 Edwards Street	0.00000	J.M. Marchand, L.M. Marchand	CII	SFRIV
269-050-000	3 Edwards Street	0.17812	R. Gillespie T. Gillespie	CII	SFRIV
269-051-000	43 Raymond Street	0.18019	R. Lopez, E. Lopez	CII	SFRIV
269-052-000-000	47-49 Raymond Street	1.359	Franklin Condominium II c/o M.F. Landolphi	CII	SFRIV
269-052-000-001	49 Raymond Street	0.00000	M.F. Landolphi, D.M. Johnson	CII	SFRIV
269-052-000-002	47 Raymond Street	0.00000	L.C. Vandervelde	CII	SFRIV
269-053-000-000	51-53 Raymond Street	0.22957	Franklin Condominium V c/o L. Bravo	CII	SFRIV
269-053-000-001	53 Raymond Street	0.00000	M.M. Fratus	CII	SFRIV
269-053-000-002	51 Raymond Street	0.00000	K.C. Maguire, C. Maguire	CII	SFRIV
269-054-000-000	56-58 Raymond Street	0.28076	Franklin Condominium III, c/o E.E. Alger	CII	SFRIV
269-054-000-001	56 Raymond Street	0.00000	E.E. Alger, A. Kayas	CII	SFRIV
269-054-000-002	58 Raymond Street	0.00000	A.C. Kayas	CII	SFRIV
269-055-000	52 Raymond Street	0.42798	Verolt Realty LLC	CII	SFRIV
269-056-000	46 Raymond Street	0.36891	J.A. Borruso, S.J. Borruso	CII	SFRIV
269-058-000	38 Raymond Street	0.22862	N. Richardson	CII	SFRIV
269-059-000	Dodge Street	0.29075	J.A. Dangelo c/o J. Angelo	CII & SFRIV	SFRIV
269-065-000	175 Beaver Street	11.217	Roman Catholic Archbishop of Boston	SFRIV	RRII
269-066-000	175 Beaver Street	11.303	Roman Catholic Archbishop of Boston	RRII & SFRIV	RRII
Total Area		28.61939			

CII = Commercial II Zoning District

SFRIV = Single Family Residential IV Zoning District

RRII = Rural Residential II Zoning District

3/27/2018

Franklin DPCD

SPONSOR: *Town Administration*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 18-XX1**

**ZONING MAP CHANGES FROM COMMERCIAL II, OR RURAL
RESIDENTIAL II & SINGLE FAMILY RESIDENTIAL IV, TO
RURAL RESIDENTIAL II OR SINGLE FAMILY RESIDENTIAL IV,
AN AREA ON OR NEAR EDWARDS, RAYMOND AND BEAVER 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 Commercial II to Rural Residential II an area containing **0.995± acres** comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

269-044-000

269-044-000

And the Zoning Map of the Town of Franklin be amended by changing from Commercial II to Single Family Residential IV an area containing **4.814± acres** comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

269-046-000

269-047-000

269-049-000

269-050-000

269-051-000

269-052-000

269-053-000

269-054-000

269-055-000

269-056-000

269-058-000

And the Zoning Map of the Town of Franklin be amended by changing from Commercial II and Single Family Residential IV to Single Family Residential IV parcel number **269-059-000** containing **0.291± acres** as shown on the Town of Franklin's Assessor's Maps

And the Zoning Map of the Town of Franklin be amended by changing from Commercial II, Rural Residential II, and Single Family Residential IV to Rural Residential II parcel number **269-065-000** containing **11.217± acres** as shown on the Town of Franklin's Assessor's Maps

And the Zoning Map of the Town of Franklin be amended by changing from Rural Residential II and Single Family Residential IV to Rural Residential II parcel number **269-066-000** containing **11.303± acres** as shown on the Town of Franklin's Assessor's Maps.

The area to be rezoned is shown on the attached map ("Proposed Zoning Map Changes, An Area On Or Near Edwards, Raymond and Beaver 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** _____

Teresa M. Burr
Town Clerk

ABSTAIN _____

ABSENT _____

Glenn Jones, Clerk

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 ZONING MAP AMENDMENT 18-XX3,
ON AND WASHINGTON, ARLINGTON AND JAMES STREETS
CC: JAMIE HELLEN, DEPUTY TOWN ADMINISTRATOR
AMY LOVE, PLANNER
DATE: APRIL 4, 2018

The Department of Planning and Community Development (DPCD) is working to amend the Town's existing Zoning Map (Chapter 185, Section 5, of Franklin Town Code) in an area on and near Washington, Arlington, and James Streets. This proposed Zoning Map change is a small part of a Town Wide project being implemented by DPCD and other Town staff.

The project will better define the Town's zoning districts by following parcel lines. Where parcels are within two or more zoning districts the subject Zoning Map Amendment will move the Zoning District line so each parcel is only in one zoning district.

The Economic Development Committee will discuss the proposed changes at their April 11, 2018 meeting. If the Committee supports the proposed zoning map amendment, the issue should be scheduled for a Town Council meeting in the near future for further consideration.

Attached are the following:

- A list of parcels proposed for rezoning;
- Bylaw Zoning Amendment 18-xx3; and
- A diagram with two maps: one showing the current zoning in the area, and one showing proposed Zoning Map changes.

Please let me know if you have questions or require additional information.

Proposed Zoning Map Amendment

3

From Single Family Residential III and Single Family Residential IV,
to Single Family Residential III or Single Family Residential IV
On Or Near Washington, Arlington and James Streets

Parcel	Location	Size (acres)	Owners	From	To
296-034-000	58 Arlington Street	0.49130	K. Cooper	SFR III and SFR IV	SFR IV
296-035-000	62 Arlington Street	0.46460	L.P. & A. Marano, P.D. & P.J. Marano	SFR III and SFR IV	SFR IV
296-054-000	19 Chilmark Road	2.36900	D.F. Coughlin, F.J. Coughlin	SFR III and SFR IV	SFR III
296-084-000	429 Union Street	0.62847	MOTA Realty LLC	SFR III and SFR IV	SFR III
296-085-000	417 Union Street	0.22957	E. Colace, TR. Colace Family Trust	SFR III and SFR IV	SFR IV
296-090-000	32 Washington Street	0.44567	V. Giardini, L. Giardini	SFR III and SFR IV	SFR IV
296-091-000	42 Washington Street	0.46823	R.A. Markarian, L.V. Markarian	SFR III and SFR IV	SFR IV
296-092-000	48 Washington Street	0.52126	C.J. Allen	SFR III and SFR IV	SFR IV
296-093-000	52 Washington Street	0.43542	W.F. Nadolny, D. Nadolny & W.F. Nadolny Jr.	SFR III and SFR IV	SFR IV
296-094-000	58 Washington Street	0.48627	E.M. Ficco, M.E. Ficco	SFR III and SFR IV	SFR IV
296-095-000	60 Washington Street	0.48500	J. MacClean, J. MacClean	SFR III and SFR IV	SFR IV
296-097-000	1 Cleveland Ave	0.64084	L.M. Kerr, TR. Arcaro Irrevocable Trust, L. Arcaro	SFR III and SFR IV	SFR IV
296-101-000	110 Washington Street	0.50640	J. Robbins, P. Robbins	SFR III and SFR IV	SFR IV
297-055-000	Roosevelt Street	0.85746	A Taddeo	SFR III and SFR IV	SFR IV
297-056-000	Roosevelt Street	1.27100	A Taddeo	SFR III and SFR IV	SFR IV
297-067-000	Roosevelt Street	0.80640	A Taddeo	SFR III and SFR IV	SFR IV
297-068-000	Roosevelt Street	0.98567	A Taddeo	SFR III and SFR IV	SFR IV
297-089-000	18 James Street	0.54320	P.A. Longobardi, J.H. Longobardi	SFR III and SFR IV	SFR IV
297-104-000	James Street	0.39392	C.M. Donoghue, TR. Gifford Irrevocable Trust	SFR III and SFR IV	SFR IV
297-106-000	17 James Street	0.59993	C.M. Donoghue, TR. Gifford Irrevocable Trust	SFR III and SFR IV	SFR IV

Total Acres 13.62961

SFR III = Single Family Residential III
SFR IV = Single Family Residential IV

3/27/2018
Franklin DPCD

SPONSOR: *Town Administration*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 18-XX3**

**ZONING MAP CHANGES FROM SINGLE FAMILY RESIDENTIAL III &
SINGLE FAMILY RESIDENTIAL IV, TO SINGLE FAMILY
RESIDENTIAL III OR SINGLE FAMILY RESIDENTIAL IV, AN AREA
ON OR NEAR WASHINGTON, ARLINGTON AND JAMES 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 Single Family Residential III and Single Family Residential IV to Single Family Residential III an area containing **3.391± acres**, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

296-054-000

296-084-000

297-104-000

And the Zoning Map of the Town of Franklin be amended by changing from Single Family Residential III and Single Family Residential IV to Single Family Residential IV an area containing **10.238± acres**, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

296-034-000

296-035-000

296-085-000

296-090-000

296-091-000

296-092-000

296-093-000

296-094-000

296-095-000

296-097-000

296-101-000

297-055-000

297-056-000

297-067-000

297-068-000

297-089-000

297-106-000

The area to be rezoned is shown on the attached map ("Proposed Zoning Map Changes, An Area On Or Near Washington, Arlington and James 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** _____







Teresa M. Burr
Town Clerk

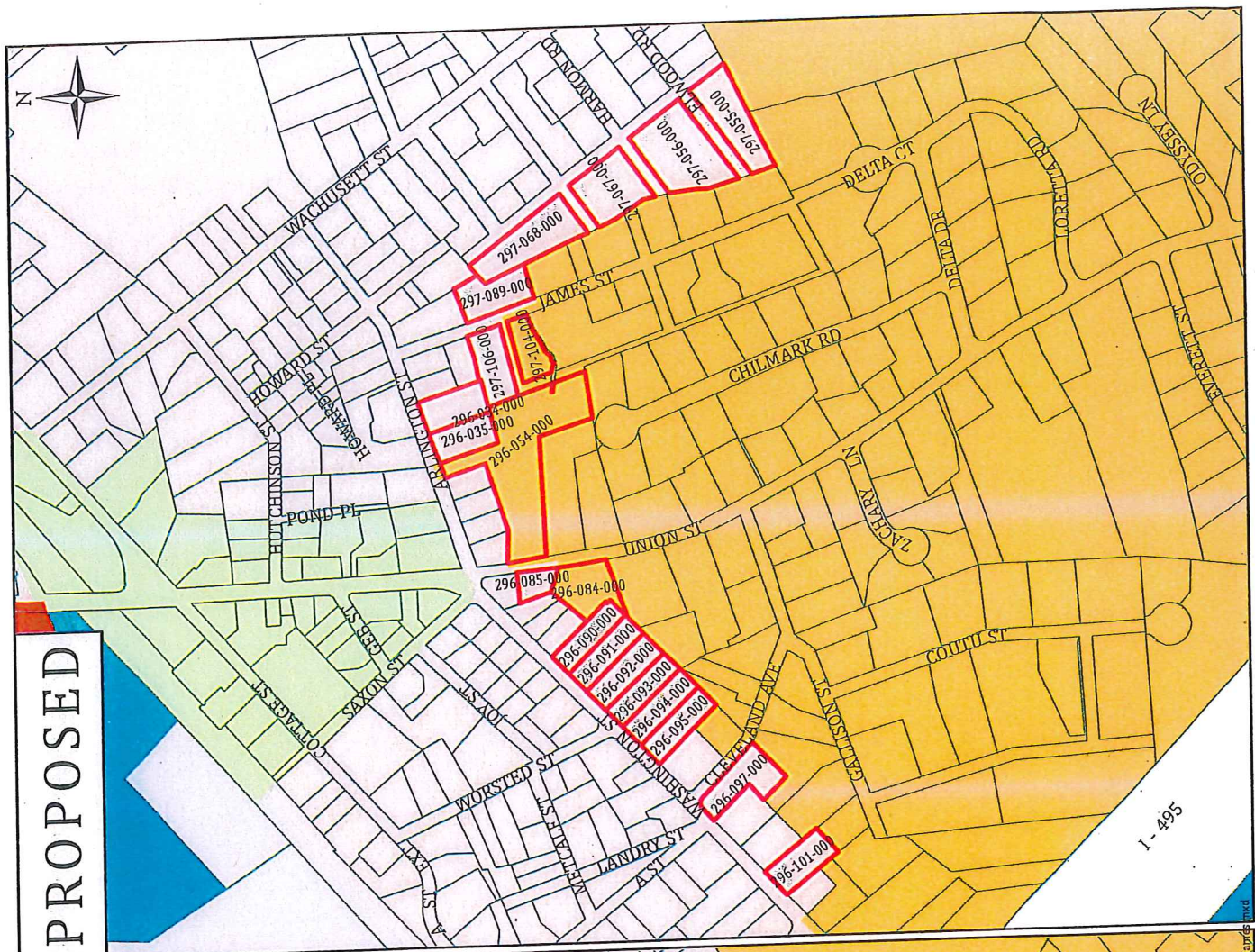
ABSTAIN _____

ABSENT _____

Glenn Jones, Clerk

3

	Business		Residential VI		Area of Proposed Change
	Commercial I		Single-Family III	~	Parcel Line
	Industrial		Single-Family IV		



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 ZONING AMENDMENTS, DIMENSIONAL REGULATIONS
FOR COMMERCIAL I ZONING DISTRICT, AND PARKING REQUIREMENTS
FOR COMMERCIAL I AND DOWNTOWN COMMERCIAL ZONING DISTRICTS
CC: JAMIE HELLEN, DEPUTY TOWN ADMINISTRATOR
AMY LOVE, PLANNER
DATE: APRIL 11, 2018

Over the last several years Zoning Bylaw amendments related to the Commercial I (CI) Zoning District have been proposed several times, including while developing the Town's Master Plan. The proposed Zoning Bylaw amendments fall into three categories:

- Parcel Dimensional Regulations;
- Parking Requirements; and
- Density of Residential Development.

The Department of Planning and Community Development (DPCD) recently developed Zoning Bylaw amendments related to dimensional regulations and parking requirements within the CI district, which is the purpose of this memo. Later in the calendar year additional Zoning Bylaw amendments related to the density of housing units allowed within the CI District will be developed; these additional amendments will also address density of housing units allowed within the General Residential V Zoning District and related issues.

Changes to dimensional regulations and parking requirements within the Commercial I Zoning District have been discussed since 2010 when much of the CI district was rezoned to a new Downtown Commercial Zoning District. The issue was put aside at that time so it could be addressed during the Master Plan development process. Land Use Objectives 3.2 and 3.3 from the Implementation section of Franklin's The 2013 Master Plan addresses the two issues, and are shown below for reference.

Land Use Objective 3.2: Amend the dimensional requirements within the Commercial I zoning district to encourage green space, use of outdoor seating areas, and assemblage of properties to encourage new business, business expansion and business retention, in the Commercial I zoning district.

Land Use Objective 3.3: Amend the Town's Zoning Bylaw to require sufficient parking in the Commercial I zoning district.

Dimensional Regulations

DPCD has developed a proposed Zoning Bylaw Amendment related to the dimensional regulations within the CI District. The proposed dimensional regulations do not represent a substantial change from current requirements, but will serve to promote courtyards and pedestrian oriented plazas, improve pedestrian flow, and encourage green space and pervious surfaces. Below is a comparison of current and proposed dimensional requirements within the Commercial I Zoning District.

	Current	Proposed
<u>Minimum Side Yard Dimensions</u>	0 ¹	10 ¹
Note 1: Increase to 20 feet when abutting a residential district.		
<u>Maximum Height of Building (Stories/Height)</u>		
By Right	3 Stories or 40 ft.	3 Stories or 40 ft.
By Planning Board Special Permit	5 Stories or 60 ft ²	4 Stories or 50 ft ³
Note 2: Up to 5 stories and/or 60 feet, whichever is greater, may be permitted by a special permit from the Planning Board.		
Note 3: Up to 4 stories and/or 50 feet, whichever is less, may be permitted by a Special Permit from the Planning Board provided the structure is set back at least 15 feet from frontage.		
<u>Maximum Impervious Coverage of Existing Upland</u>		
Structures:	90%	80%
Structures plus paving:	100%	90%

Parking Requirements

Currently the Commercial I Zoning District is exempt from the Town's parking regulations outlined in Section 185-21 of the Town's Zoning Bylaw, which means there are no parking requirements in the Commercial I Zoning District for any use. In addition off-road parking spaces are only required for residential uses in the Downtown Commercial District.

The Zoning Bylaw states the intent of Section 185-21 as: "that adequate off-street parking must be provided within a reasonable distance to service all parking demands created by new construction, whether through new structures or through additions to existing ones, or by change of use creating higher parking demand".

DPCD believes off-road parking should be required for the CI Zoning District, and at least some off-road parking should be required for all uses in the Downtown Commercial District, not only residential.

DPCD has developed a proposed Zoning Bylaw Amendment that does the following:

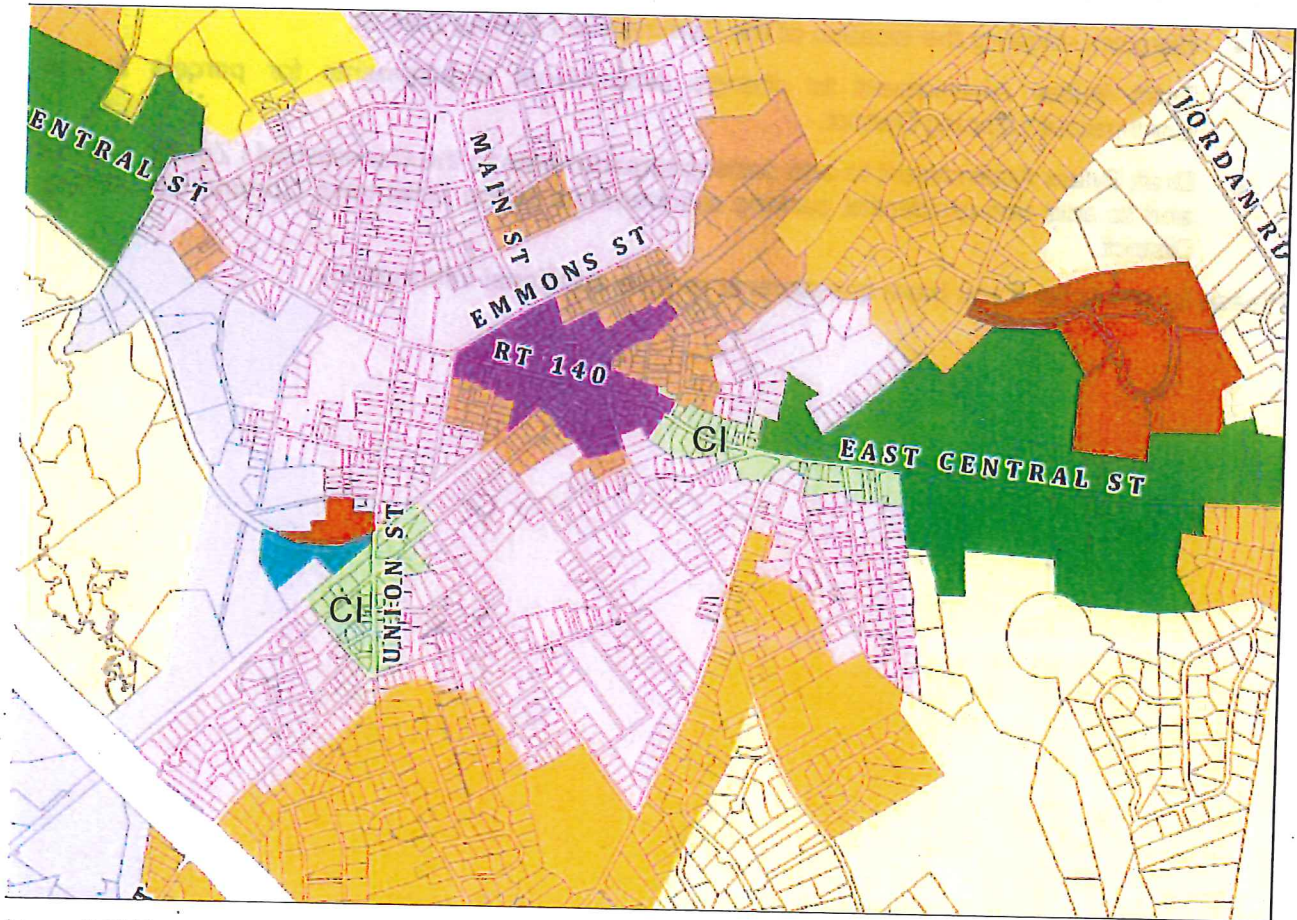
- Require 1.5 parking spaces per housing unit within the Commercial I Zoning District, which is the same as currently required within the Downtown Commercial Zoning District.
- Require 1 parking space per 500 square feet of gross floor area of non-residential development within Commercial I Zoning District and the Downtown Commercial Zoning District.
 - Note: 1 parking space per 500 square feet is fifty percent or less than other zoning districts.
- Makes minor changes to the wording in 185-21 to improve readability and clarify requirements.

The Economic Development Committee will discuss the proposed changes at their April 11, 2018 meeting. If the Committee supports the proposed zoning amendments, the issues should be scheduled for a Town Council meeting in the near future for further consideration. Attached are the following:

- Diagram showing the location of the Commercial I Zoning District;
- Draft Bylaw Amendment to change dimensional requirements for parcels in the Commercial I Zoning District;
- Draft Bylaw Amendment to add parking requirements to the Commercial I Zoning District and to add non-residential parking requirements in the Downtown Commercial Zoning District.

Please let me know if you have questions or require additional information.

Location of Commercial I (CI) Zoning District



January 3, 2018

Business	General Residential V	Rural Business
Commercial I	Industrial	Rural Residential I
Commercial II	Office	Rural Residential II
Downtown	Residential VI	Single-Family III
Commercial District	Residential VII	Single-Family IV

04/11/2018
Franklin DPCD

Sponsor: *Administration*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 18-xxx
COMMERCIAL I 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 and ~~deletions~~ 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	
	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	0 ² 10 ²	15	3 ⁶ 3 ⁹	40 ⁶ 40 ⁹	90-80	100-90
Commercial II	40,000	175	200	157.5	40	30	30	3	40	70	80
Business	20,000	125	160	112.5	40	20	30	3	40	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 Up to 5 stories, ~~and/or~~ but no more than 60 feet, ~~whichever is greater~~, 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 Up to 4 stories, ~~and/or~~ but no more than 50 feet, ~~whichever is greater~~, 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.

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 18-XXX

Changes to §185-21 Parking, Loading and Driveway Requirements.

A ZONING BY-LAW TO AMEND CHAPTER 185 SECTION 21 OF THE CODE OF THE TOWN OF FRANKLIN

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 and deletions to §185-21. Parking, Loading and Driveway Requirements, sub-sections A and B:

A. Parking requirements.

- (1) It is the intent of this section that adequate off-street parking must be provided within a reasonable distance to service all parking demands created by new construction, whether through new structures or through additions to existing ones, or by change of use creating higher parking demand, ~~except in the CI and DC Districts, which is are exempt from this section, with the exception of mixed use developments as described in section 185-21.B(3) below.~~
- (2) Buildings, structures and land uses in existence on the effective date of these provisions are not subject to these off-street parking requirements and may be rebuilt, altered or repaired but not enlarged or changed in use without becoming subject to these requirements.
- (3) In applying for building or occupancy permits, the applicant must demonstrate that the minimum parking requirements set forth in Subsection B of this section will be met for the new demand without counting existing parking necessary for existing uses to meet these requirements.
- (4) The number of required spaces may be reduced below that determined under § 185-21B by the Planning Board for places subject to site plan review or by the Building Commissioner in other cases, upon determination that a lesser provision would be adequate for all parking needs because of such special circumstances as shared parking for uses having peak parking demands at different times, unusual age or other characteristics of site users, company-sponsored car pooling or other trip-conserving measures.

B. Parking schedule. The number of parking spaces required for a particular use shall be as follows:

(1) Residential buildings:

- (a) ~~Dwelling units, regardless of the number of bedrooms: two spaces.~~

- ~~(b) Guest houses, lodging houses and other group accommodations: one space.~~
- ~~(c) Hotels and motels: 1 1/8 spaces per guest unit.~~
- ~~(2) Nonresidential buildings. (Gross floor area is measured to the outside of the building, with no deductions for hallways, stairs, closets, thickness of walls, columns or other features.)~~
 - ~~(a) Industrial buildings, except warehouses: one space per 400 square feet of gross floor area.~~
 - ~~(b) Retailing, medical, legal and real estate offices: one space per 200 square feet of gross floor area, plus one space per separate enterprise.~~
 - ~~(c) Other offices and banks: one space per 250 square feet of gross floor area.~~
 - ~~(d) Restaurants, theaters and assembly halls: one space per 2.5 seats; if seats are not fixed, one space per 60 square feet of gross floor area.~~
 - ~~(e) Recreation facilities: 0.8 space per occupant at design capacity.~~
 - ~~(f) Warehouses: one space per 1,000 square feet of gross floor area.~~
- ~~(3) Mixed-use development in the Downtown Commercial Zoning District.~~
 - ~~(a) Residential dwelling units: 1.5 parking spaces per residential unit.~~
 - ~~(b) Nonresidential uses within a mixed-use development in the Downtown Commercial Zoning District are exempt from this section (§ 185-21).~~
- ~~(4) Other facilities: as determined by the Building Commissioner upon advice of the Planning Board, based on usual industrial standards, if any.~~
- (1) In the Downtown Commercial Zoning District:
 - (a) Residential dwelling units: one and a half (1.5) parking spaces per residential unit in a mixed use development.
 - (b) Non-residential uses: one (1) space per 500 square feet of gross floor area.
- (2) In the Commercial I Zoning District:
 - (a) Residential dwelling units: one and a half (1.5) parking spaces per residential unit.
 - (b) Non-residential uses: one (1) space per 500 square feet of gross floor area.
- (3) All Other Zoning Districts:
 - (a) Residential buildings:
 - i. Dwelling units, regardless of the number of bedrooms: two spaces.
 - ii. Guest houses, lodging houses and other group accommodations: one space per guest unit.
 - iii. Hotels and motels: 1 1/8 spaces per guest unit.

- (b) Nonresidential buildings: (Gross floor area is measured to the outside of the building, with no deductions for hallways, stairs, closets, thickness of walls, columns or other features.)
- i. Industrial buildings: except warehouses: one space per 400 square feet of gross floor area.
 - ii. Retailing, medical, legal and real estate offices: one space per 200 square feet of gross floor area, plus one space per separate enterprise.
 - iii. Other offices and banks: one space per 250 square feet of gross floor area.
 - iv. Restaurants, theaters and assembly halls:
 - a) One space per 2.5 fixed seats.
 - b) One space per 60 square feet of gross floor area, if seats are not fixed.
 - v. Recreation facilities: 0.8 space per occupant at design capacity.
 - vi. Warehouses: one space per 1,000 square feet of gross floor area.

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

