

Town of Franklin



Planning Board

Due to the growing concerns regarding the COVID-19 virus, we will be conducting a remote/virtual Planning Board Meeting. In an effort to ensure citizen engagement and comply with open meeting law regulations, citizens will be able to dial into the meeting using the provided phone number (Cell phone or Landline Required) OR citizens can participate by copying the link (Phone, Computer, or Tablet required).

Please click on the link <https://zoom.us/j/442063810> or call on your phone at 312-626-6799, meeting # is 442063810.

April 13, 2020

- 7:00 PM Commencement/General Business
- 7:05 PM **PUBLIC HEARING** – *Initial*
Zoning By-Law Amendments *Adv.: March 9 & March 16, 2020*
20-853: Zoning Map Amendment
- 7:10 PM **PUBLIC HEARING** – *Continued*
94 East Central St – Multi-Family *Adv.: Jan 27 & Feb 3, 2020*
Special Permit & Site Plan *Abuts: Jan. 22, 2020*
TO BE CONTINUED
- 7:10 PM **PUBLIC HEARING** – *Initial*
176-210 Grove Street *Adv.: March 9 & March 16, 2020*
Site Plan *Abuts: March 9, 2020*
TO BE CONTINUED
- 7:10 PM **PUBLIC HEARING** – *Continued*
160 Grove St *Adv.: Dec. 2 & Dec. 9, 2019*
Special Permit & Site Plan *Abuts: Nov. 26, 2019*
TO BE CONTINUED

GENERAL BUSINESS:

- A. 81-P ANR: Spring Street

This agenda is subject to change. Last updated: April 8, 2020
The next meeting of the Planning Board is scheduled for April 27, 2020.

TOWN OF FRANKLIN
TOWN CLERK

Town of Franklin

SPONSOR: *Town Administration*

2020 MAR -5 P 3: 39

RECEIVED



Planning Board

The following notice will be published in the Milford Daily Newspaper on
Monday, March 9, 2020 and again on Monday, March 16, 2020

In accordance with the provisions of M.G.L. Chapter 40A, Section 5, notice is hereby given that the Planning Board will hold a Public Hearing on March 23, 2020 at 7:05 PM and the Town Council will hold a Public Hearing on April 15, 2020 at 7:10 PM in the Town Council Chambers of the Municipal Building, 355 East Central Street, to consider amending Chapter 185, Section 5, Zoning Map of the Code of the Town of Franklin as follows:

ZONING BY-LAW AMENDMENT 20-853

ZONING MAP Changes From Rural Residential I and Single Family Residential III, Rural Residential II and Single Family Residential III, or Single Family Residential III and Single Family Residential IV, to Rural Residential I, Single Family Residential III, or Single Family Residential IV,
An Area On Or Near Pleasant and Chestnut Streets

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 Rural Residential I and Single Family Residential III to Single Family Residential III an area containing **109.83± acres** comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

248-019-000

266-043-000

280-060-000

262-094-000

266-100-001

And the Zoning Map of the Town of Franklin be amended by changing from Rural Residential I and Single Family Residential III to Rural Residential I an area containing **16.570± acres** comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

245-056-000

266-069-000

280-061-000

266-042-000

And the Zoning Map of the Town of Franklin be amended by changing from Rural Residential II and Single Family Residential III to Single Family Residential III **1.67± acres** comprising the following parcel of land as shown on the Town of Franklin's Assessors' Maps:

Parcel Number
244-044-000

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 **0.72± acre** comprising the following parcel of land as shown on the Town of Franklin's Assessors' Maps:

Parcel Number
280-005-000

The exact map of said amendment may be reviewed in the Department of Planning and Community Development during normal business hours (Monday, Tuesday and Thursday - 8:00 AM to 4:00 PM, Wednesday - 8:00 AM to 6:00 PM, and Friday - 8:00 AM to 1:00 P.M).

Please contact the Department of Planning & Community Development at 508-520-4907 if you require further information or if you need to make arrangements to provide translation services for the hearing impaired or for persons with language barriers.

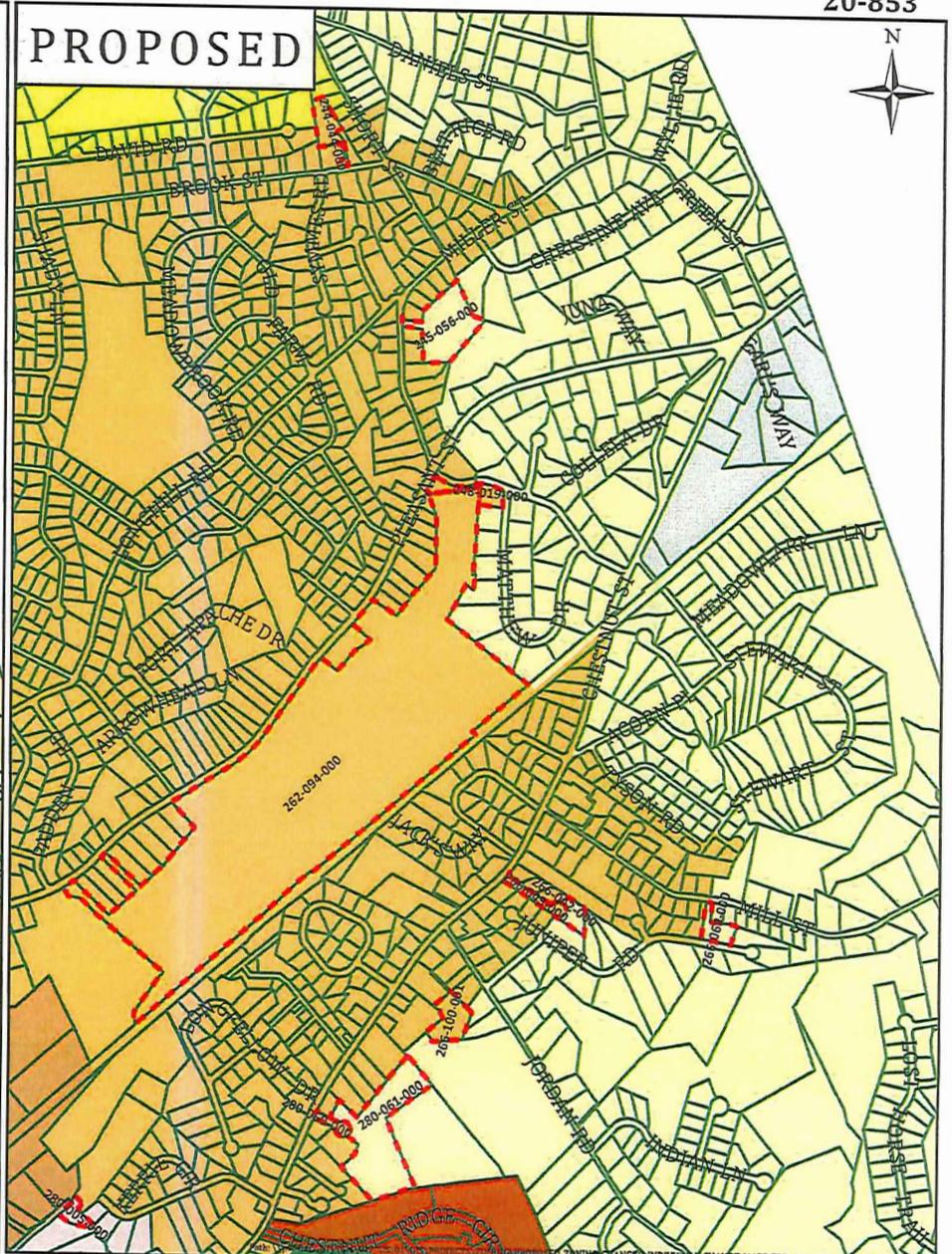
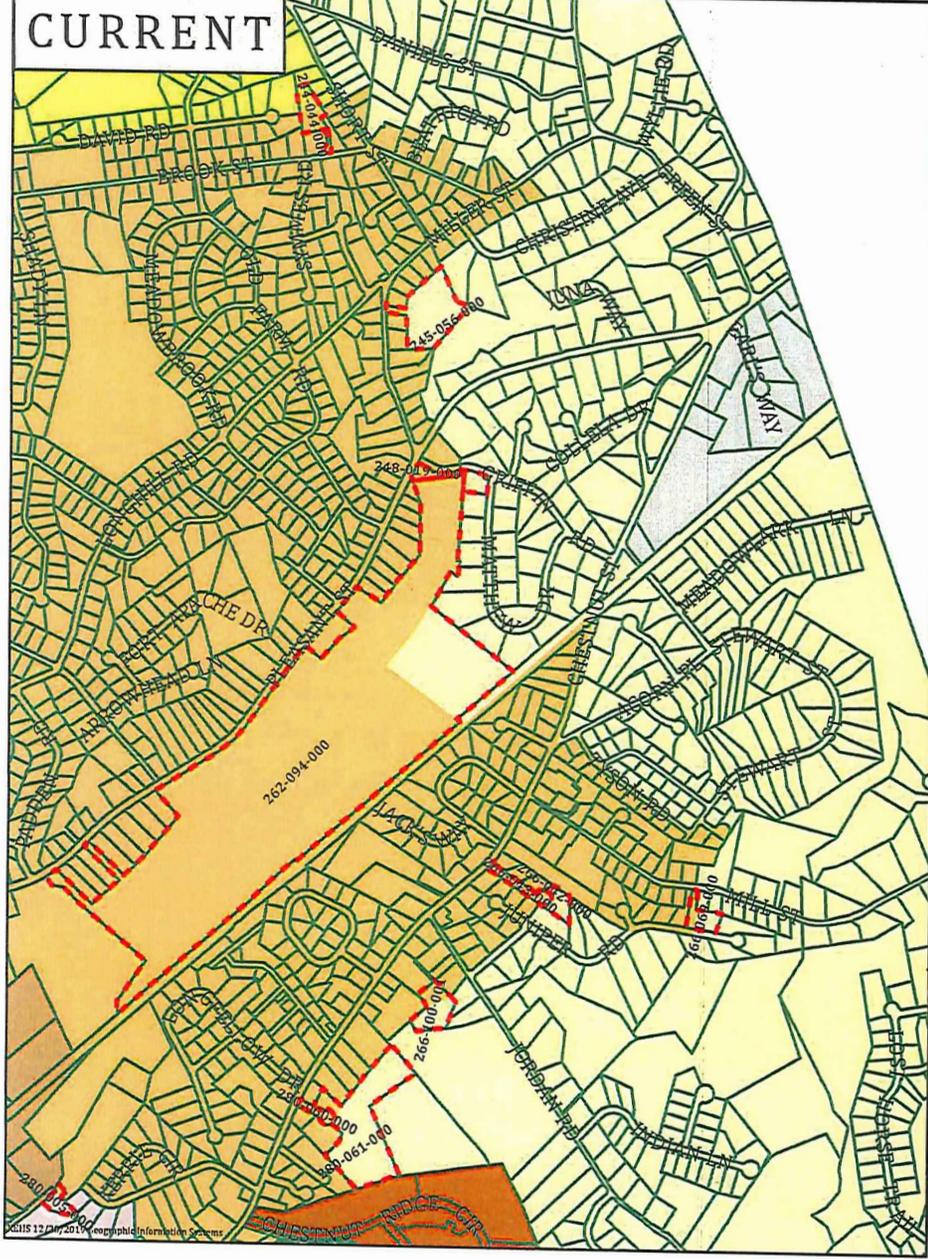
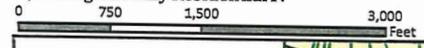
Anthony Padula, Chairman
Franklin Planning Board

Tom Mercer, Chairman
Franklin Town Council

Proposed Zoning Map Changes

An Area On Or Near Pleasant and Chestnut Streets
 From Rural Residential I & Single Family Residential III, Rural Residential II & Single Family Residential III, or
 Single Family Residential III & Single Family Residential IV, To Rural Residential I, Single Family Residential
 III, or Single Family Residential IV

- Commercial II
- Rural Residential I
- General Residential V
- Rural Residential II
- Industrial
- Single-Family III
- Residential VI
- Single-Family IV
- Area of Proposed Change
- Parcel Line



20-853

FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

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

MEMORANDUM

TO: FRANKLIN TOWN COUNCIL

FROM: BRYAN W. TABERNER, AICP, DIRECTOR

**RE: ZONING BYLAW AMENDMENT 20-853, ZONING MAP CHANGES
TO BETTER DEFINE THE TOWN OF FRANKLIN'S ZONING DISTRICTS**

**CC: JAMIE HELLEN, TOWN ADMINISTRATOR; FRANKLIN PLANNING BOARD;
MARK G. CEREL, TOWN ATTORNEY; AMY LOVE, TOWN PLANNER;
CHRISSEY WHELTON, ASSISTANT TO THE TOWN ADMINISTRATOR**

DATE: FEBRUARY 11, 2020

The Department of Planning and Community Development (DPCD) and other Town staff are undergoing a multi-year project to better define the Town's zoning districts by following parcel lines. Where parcels are within two or more zoning districts, the Zoning District line is moved so each parcel is only in one zoning district, in most cases based on the current land use. Attached is a proposed Zoning Map Amendment that would change the Town's existing Zoning Map (Chapter 185, Section 5, of Franklin Town Code).

Zoning Bylaw Amendment 20-853: Zoning Map Changes from Rural Residential I and Single Family Residential III, Rural Residential II and Single Family Residential III, or Single Family Residential III and Single Family Residential IV, to Rural Residential I, Single Family Residential III, or Single Family Residential IV, an area on or near Pleasant and Chestnut Streets.

The attached Zoning Map Amendment includes the amendment document, a list of parcels proposed for rezoning, and a diagram with two maps: one showing the current zoning, and one showing proposed Zoning Map changes.

At their meeting on February 5, 2020 the Town Council's Economic Development Subcommittee voted to send the proposed Zoning Map Amendment to the full Council for further consideration. If Council members support the proposed zoning map changes, I request the Town Council vote to refer Zoning Bylaw Amendments 20-853 to the Planning Board for a Public Hearing.

Let me know if you have questions or require additional information.

PLANNING BOARD
FRANKLIN, MASSACHUSETTS

FORM A
APPLICATION FOR ENDORSEMENT OF PLAN BELIEVED
NOT TO REQUIRE APPROVAL (81-p)

March 25, 2020

To the Planning Board of the Town of Franklin, Massachusetts:

The undersigned, believing that the accompanying plan of land in the Town of Franklin does not constitute a subdivision within the meaning of the Subdivision Control Law, for the reason outlined below, herewith submits said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

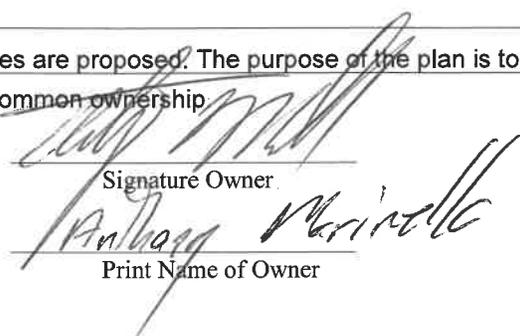
1. Name of Applicant: Lewis Street Realty Trust, LLC
Address of Applicant: P. O. Box 411, Franklin, MA
Phone No.: 508-962-1965 Email: anth2424@gmail.com
2. Name of Owner (if not the Applicant): Same
Address of Owner: _____
Phone No.: _____ Email: _____
3. Name of Engineer: Andrews Survey & Engineering, Inc.
4. Deed of Property recorded in _____ with Norfolk Registry, Book 37693, Page 196, 200, 207 & 216
5. Location and Description of Property: Spring Street
6. Assessor's Map & Lot: Map 309, Lot 15; Map 310, Lot 2; and Map 323, Lot 44
7. Reasons approval is not required (check as applicable):
 - a) Every lot shown has the area and frontage required by the Zoning By-Law on a way as defined by the Subdivision Regulations _____
 - b) a public way or way which the Town Clerk certifies is maintained and used as a public way, namely Spring Street, or
 - c) a way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law, namely _____ on _____, and subject to the following conditions _____; or
 - d) a private way in existence on March 12, 1954, the date when the subdivision control law became effective in the Town of Franklin having, in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon, namely _____
 - e) Other: No new boundaries are proposed. The purpose of the plan is to consolidate the parcels into one parcel under common ownership

SAME

Signature of Applicant

SAME

Print Name of Applicant


Signature Owner

Print Name of Owner

CERTIFICATE OF OWNERSHIP

I the undersigned Applicant, do hereby certify to the Town of Franklin, through its Planning Board, that all parties of interest to the below-listed plan are identified in Section B: below,

SECTION A:

Type of Plan (circle one) **ANR 81-P;** Preliminary Subdivision

Definitive Subdivision.; Site Plan; Special Permit

Title of Plan: Plan of Land of Spring St. in Franklin, MA, Owned by Lewis Street Realty, LLC

Date of Plan: 11/6/2019 Assessor's Information: Map 309 Lot 15, Map 310 Lot 2, Map 323 Lot 44

Prepared by: Andrews Survey & Engineering, Inc.

Applicant Name & Address: Lewis Street Realty, LLC, 28 Tia Place, P.O. Box 411, Franklin, MA 02038

SECTION B:

Name of Record Owner(s): Lewis Street Realty Trust, LLC

Address of Record Owner(s): 28 Tia Place, P.O. Box 411

Franklin, MA 02038

****Attach Property Deed matching the owner name's listed above.**

*If in the name of a Trust, Corporation or Partnership, list the names and addresses of all Trustee(s), Corporate Officer(s) or Partner(s):

ANTHONY MARINELLA
28 TIA PLACE, FRANKLIN, MA 02038

*If in the name of a Trust or Corporation, list the Beneficiary(ies) of the Trust or the Shareholder(s) of the Corporation:

ANTHONY MARINELLA

*If in the name of a Trust or Corporation, list the date, county, book and page of recording of the Trust Instrument, or the date and State of incorporation:

9/10/1997 - MASSACHUSETTS

Executed as a sealed instrument this 26th day of MARCH 2020

SAME
Signature of Applicant

[Handwritten Signature]

Signature of Owner

SAME
Print name of Applicant

Anthony Marinella

Print name of Owner

COMMONWEALTH OF MASSACHUSETTS

_____ ss.

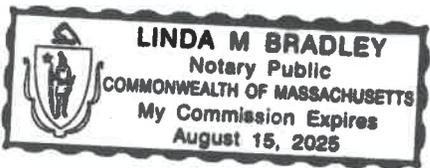
20 20

On this 26 day of March, 2020, before me, the undersigned notary public, personally appeared Anthony Marinella (name of owner), proved to me through satisfactory evidence of identification, which were personally known to be the person whose name is signed on the preceding document in my presence.

Linda M. Bradley
(Official signature and seal of notary)

Notary Public:

My Commission Expires: 8/15/2025





Andrews Survey & Engineering, Inc.
Land Surveying - Civil Engineering - Site Planning

P.O. Box 312, 104 Mendon Street
Uxbridge, Massachusetts 01569
P: 508-278-3897 F: 508-278-2289

500 East Washington Street
North Attleboro, Massachusetts 02760
P: 508-316-0452 F: 508-316-0963

OWNER OF RECORD:
LEWIS STREET REALTY, LLC
28 TIA PLACE, P.O. BOX 411
FRANKLIN, MA 02038

FRANKLIN ASSESSORS INFORMATION

MAP 309, PARCEL 15
PARCEL AREA: 428,992± S.F. (9.85± AC.)

DEED REFERENCE:
DEED BK. PG. 37693, PG. 200
DEED BK. 34238, PG. 115

PLAN REFERENCE:
P.B. 688, PL. 90
P.B. 468, PL. 616

MAP 310, PARCEL 02
PARCEL AREA: 608,807± S.F. (13.98± AC.)

DEED REFERENCE:
DEED BK. 37693, PG. 196
DEED BK. 37693, PG. 216
DEED BK. 35685, PG. 288

PLAN REFERENCE:
P.B. 688, PL. 90

MAP 323, PARCEL 44
PARCEL AREA: 1,060,940± S.F. (24.36± AC.)

DEED REFERENCE:
DEED BK. 37693 PG. 207
DEED BK. 6132, PG. 396
PROBATE No. 96P0115

PLAN REFERENCE:
P.B. 688, PL. 90
P.B. 54, PL. 2557

ZONING REQUIREMENTS:
ZONE: RURAL RESIDENTIAL 1
AREA: 40,000 S.F.
FRONTAGE: 200'
LOT DEPTH: 200'
LOT WIDTH: 180'
SETBACKS:

FRONT: 40'
SIDE: 40'
REAR: 40'
MAX. BUILDING HEIGHT: 35'
MAX. IMPERVIOUS COVERAGE OF EXISTING UPLAND: 25%

APPROVAL UNDER SUBDIVISION CONTROL LAW NOT REQUIRED. FRANKLIN PLANNING BOARD

BEING A MAJORITY DATE:

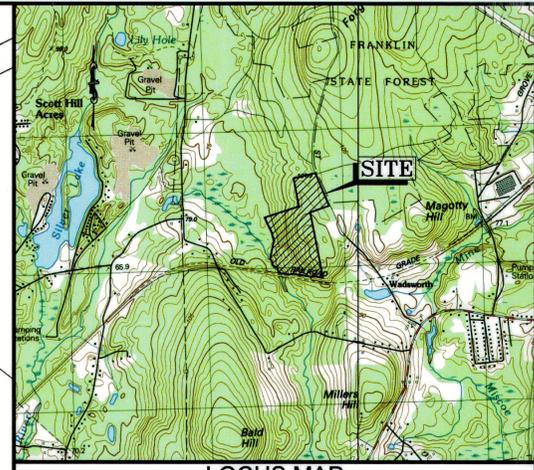
GRAPHIC SCALE



(IN FEET)
1 inch = 100 feet

CAD FILE	2018-101 ANR.DWG
DRAWN BY	WCN
CHECKED BY	BJA
DATE	MARCH 23, 2020
PROJECT NO.	2018-101
PLAN NO.	L-6058

TITLE
PLAN OF LAND OF SPRING STREET IN FRANKLIN, MA OWNED BY LEWIS STREET REALTY, LLC

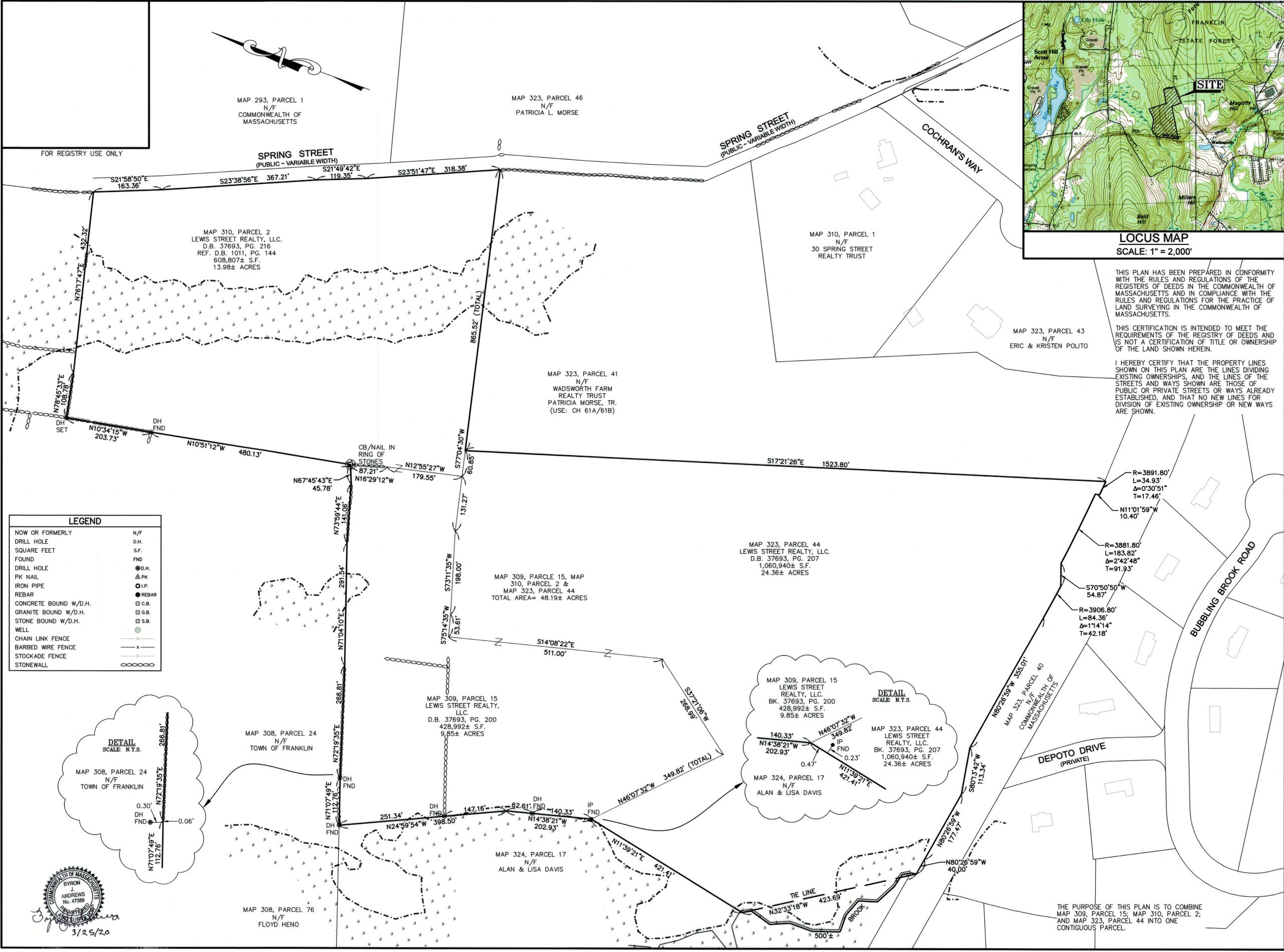


LOCUS MAP
SCALE: 1" = 2,000'

THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS IN THE COMMONWEALTH OF MASSACHUSETTS AND IN COMPLIANCE WITH THE RULES AND REGULATIONS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.

THIS CERTIFICATION IS INTENDED TO MEET THE REQUIREMENTS OF THE REGISTRY OF DEEDS AND IS NOT A CERTIFICATION OF TITLE OR OWNERSHIP OF THE LAND SHOWN HEREIN.

I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR NEW WAYS ARE SHOWN.



MAP 293, PARCEL 1
N/F
COMMONWEALTH OF MASSACHUSETTS

MAP 323, PARCEL 46
N/F
PATRICIA L. MORSE

MAP 310, PARCEL 2
LEWIS STREET REALTY, LLC.
D.B. 37693, PG. 216
REF. D.B. 1011, PG. 144
608,807± S.F.
13.98± ACRES

MAP 310, PARCEL 1
N/F
30 SPRING STREET REALTY TRUST

MAP 323, PARCEL 43
N/F
ERIC & KRISTEN POLITO

MAP 323, PARCEL 41
N/F
WADSWORTH FARM REALTY TRUST
PATRICIA MORSE, TR.
(USE: CH 61A/61B)

MAP 323, PARCEL 44
LEWIS STREET REALTY, LLC.
D.B. 37693, PG. 207
1,060,940± S.F.
24.36± ACRES

MAP 309, PARCEL 15, MAP 310, PARCEL 2 & MAP 323, PARCEL 44
TOTAL AREA= 48.19± ACRES

MAP 309, PARCEL 15
LEWIS STREET REALTY, LLC.
D.B. 37693, PG. 200
428,992± S.F.
9.85± ACRES

MAP 309, PARCEL 15
LEWIS STREET REALTY, LLC.
BK. 37693, PG. 200
428,992± S.F.
9.85± ACRES

MAP 323, PARCEL 44
LEWIS STREET REALTY, LLC.
BK. 37693, PG. 207
1,060,940± S.F.
24.36± ACRES

MAP 324, PARCEL 17
N/F
ALAN & LISA DAVIS

MAP 324, PARCEL 17
N/F
ALAN & LISA DAVIS

MAP 308, PARCEL 24
N/F
TOWN OF FRANKLIN

MAP 308, PARCEL 24
N/F
TOWN OF FRANKLIN

MAP 308, PARCEL 76
N/F
FLOYD HENO

MAP 308, PARCEL 24
N/F
TOWN OF FRANKLIN



F:\ACAD\2018 PROJECTS\2018-101.DWG\PERMIT\2018-101 ANR.DWG 03-25-20 1:26:16 PM - LAYOUT ANR

2020 © COPYRIGHT ANDREWS SURVEY & ENGINEERING, INC.