



FRANKLIN TOWN COUNCIL

November 16, 2016

7:00 PM

A. APPROVAL OF MINUTES – *October 19, 2016, November 2, 2016*

B. ANNOUNCEMENTS –

1. *This meeting is being recorded by Franklin TV and shown on Comcast channel 11 and Verizon channel 29. This meeting may also be recorded by others.*
2. *Cub Scouts Pack #17 – Pledge of Allegiance*

C. PROCLAMATIONS/RECOGNITIONS

D. CITIZEN COMMENTS – *Citizens are welcome to express their views for up to five minutes on a matter that is not on the Agenda. The Council will not engage in a dialogue or comment on a matter raised during Citizen Comments. The Town Council will give remarks appropriate consideration and may ask the Town Administrator to review the matter.*

E. APPOINTMENTS – *Cultural Council*

F. HEARINGS

G. LICENSE TRANSACTIONS

H. PRESENTATIONS/DISCUSSIONS

I. SUBCOMMITTEE REPORTS

J. LEGISLATION FOR ACTION

1. *Zoning Bylaw Amendment 16-768: Districts Enumerated. Creation of Rural Business Zoning District – 2nd Reading (2/3 majority - 6 Votes)*
2. *Zoning Bylaw Amendment 16-769: Definitions. Country Store – 2nd Reading (2/3 majority – 6 Votes)*
3. *Zoning Bylaw Amendment 16-770: Rural Business Zone Use Regulations – 2nd Reading – 2/3 majority – 6 Votes)*
4. *Zoning Bylaw Amendment 16-771: Rural Business Zone Dimensional Regulations – 2nd Reading – 2/3 majority – 6 Votes)*
5. *Zoning Bylaw Amendment 16-772: Rural Business Zone Sign Regulations – 2nd Reading (2/3 majority – 6 Votes)*
6. *Zoning Bylaw Amendment – 16-773: Zoning Map Changes from Rural Residential I to Rural Business an Area on Washington Street – 2nd Reading (2/3 majority – 6 Votes)*
7. *Zoning Bylaw Amendment 16-775: Zoning Map Changes from Rural Residential I to Residential VII and Area on Summer Street – Referral to Planning Board (majority vote)*
8. *Bylaw Amendment 16-776: Amendment to Chapter 82, Municipal Service Fees – 1st Reading (majority vote)*
9. *Bylaw Amendment 16-777: Amendment to Chapter 151, Solid Waste and Recycling – 1st Reading (majority vote)*

K. TOWN ADMINISTRATOR'S REPORT

L. FUTURE AGENDA ITEMS

M. COUNCIL COMMENTS

N. EXECUTIVE SESSION

O. ADJOURN

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
October 19, 2016**

A meeting of the Town Council was held on Wednesday, October 19, 2016 at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present: Andrew Bissanti, Robert Dellorco, Glenn Jones, Matthew Kelly, Thomas Mercer, Peter Padula, Deborah Pellegrini, Judith Pond Pfeffer, Robert Vallee. Councilors absent: None. Administrative personnel in attendance: Jeffrey Nutting, Town Administrator; Jamie Hellen, Deputy Town Administrator; Mark Cerel, Town Attorney.

CALL TO ORDER: ► Chairman Kelly called the meeting to order at 7:00 PM with a moment of silence and the Pledge of Allegiance led by the American Legion and Commander John Milot.

APPROVAL OF MINUTES: *October 5, 2016.* **MOTION** to **Approve** the October 5, 2016 meeting minutes by **Mercer**. **SECOND** by **Dellorco**. **No Discussion**. ► **VOTE: Yes-8, No-0, Absent-1.** (Ms. Pfeffer had not yet entered the meeting.)

ANNOUNCEMENTS: ► Chairman Kelly announced the meeting is being recorded by *Franklin TV* and available for viewing on Comcast Channel 11 and Verizon Channel 29. This meeting may also be recorded by others.

PROCLAMATIONS/RECOGNITIONS: *None.*

CITIZEN COMMENTS: Ms. Pellegrini stated she was late this evening as there is a problem on Main Street, all the lights are red and not changing. She asked that the police be notified.

APPOINTMENTS: *None.*

Chairman Kelly called a recess until 7:10 PM.

HEARINGS: *Public Hearing. Rural Business Zoning Bylaws (16-768, 16-769, 16-770, 16-771, 16-772, 16-773).* **MOTION** to **Open** the public hearing for the Rural Business Zoning Bylaws (16-768, 16-769, 16-770, 16-771, 16-772, 16-773) by **Mercer**. **SECOND** by **Padula**. **No Discussion**. ► **VOTE: Yes-9, No-0.** ► Mr. Nutting stated these six bylaws relate to the potential rezoning of a parcel of land at the corner of Washington Street and Spring Street. The first five amendments would create a new zone that could be placed anywhere in Franklin by a vote of the Town Council. The last one is to put it on the map. Essentially, it would create a rural business district that would allow for up to 3,500 sq. ft. of retail space for a combination of country store which is in the definition and would allow for about half the store to be used for fruits, vegetables, and typical things in a country store, and a portion of the store would be for other retail items, with up to 20 seats allowed, and the potential in the future to apply for a beer and wine license, if one were available. This has been an ongoing discussion for about a decade. If this were approved and they did move ahead, there is a site plan process. The Planning Board held a public hearing Monday night and good comments were made. There are ways to limit the exposure for immediate abutters in the area. ► Chairman Kelly stated he received a Certificate of Vote from the Planning Board dated October 19, 2016. **MOTION** to **Close** the public hearing for the Rural Business Zoning Bylaws (16-768, 16-769, 16-770, 16-771, 16-772, 16-773) by **Mercer**. **SECOND** by **Dellorco**. ► **VOTE: Yes-9, No-0, Absent-0.**

LICENSE TRANSACTIONS: *None.*

PRESENTATIONS/DISCUSSIONS: ► *Veterans' Officer Presentation.* ► Mr. Dale Kurtz, Veteran's Agent, addressed the Town Council. He stated Franklin will celebrate Veteran's Day with a luncheon on

November 11, 2016 beginning at 11:00 AM in honor of the armistice that ended World War I. The luncheon will be held at the Franklin Elks, 1077 Pond Street. This year's celebration will honor the Vietnam Era veterans. In May, the Franklin Veteran's Council became a partner with the Department of Defense Vietnam War 50th Commemorative Program. He explained the program description and goals. This commemoration honors all US veterans who served on active duty in the US Armed Forces at any time between November 1, 1955 to May 15, 1975 regardless of the location in which they served. He reviewed some of the technology advances used during the Vietnam War. A video is available and shown on Franklin TV detailing what the Vietnam War Commemorative Program is all about. He encouraged everyone to attend the Veteran's Day program. Call the Senior Center, 508-520-4945, to register.

► Chairman Kelly stated that tonight is the last night to register to vote until 8:00 PM at the Town Clerk's Office at the Town Hall on the first floor.

► *Mr. Bissanti recused himself.*

► **R7 Zoning Presentation/Discussion.** ► Mr. Richard Cornetta, Attorney, representing this petition, and Mr. Mounir Tayara, Principal of Grandis Homes, Inc. and the developer, addressed the Town Council. Mr. Cornetta stated this is a petition for a proposed zoning amendment to the bylaw and would be an amendment to the zoning map. Mr. Bruce Hunchard and Ms. Gwynne Hunchard are the petitioners and owners of 496 Summer Street, an 11-acre parcel; they are in the audience. This parcel includes their primary single-family home; the remainder of the land is wooded, undeveloped. Grandis Homes is a real estate development company in the commonwealth. Hillside Estates in Bellingham is a representative example of their homes. He provided a summary of the proposed petition and land area, and addressed the development proposal. It is currently zoned as Rural Residential I and would like it changed to Single-Family Residential VII which is the newest residential zoning bylaw that was approved by the Town Council about 1 ½ years ago; the Villages at Cook's Farm are being developed under this. The development proposal is for 34-three-bedroom, single-family residential town homes configured around a looping access road. Municipal water system would need to be extended to the development as well as sewer. They are here this evening to address questions.

Mr. Nutting stated he has met with the petitioners. He confirmed the need for water extension and possible replacement of old water line. He stated there is walkability from this location, so a sidewalk up Summer Street would allow many people to walk to the train station.

Mr. Bryan Taberner stated he had no comments.

Mr. Robert Hummel, 68 Stewart Street, asked the Town Council to review the Master Plan to see if any such zoning change is described within those plans, specifically in this section of town. Is this allowed in this zoning district? Has the developer considered a traditional subdivision with eight or nine lots? He would also like them to look at this as a 40B.

Mr. Padula asked Attorney Cornetta if he projected any issues with the sewer or water tie-in and the approximate price per unit.

Attorney Cornetta stated it is preliminary and the engineering has not been done yet. The access to the sewer and water are favorable. They think they can improve water quality. Sewer changes would be the responsibility of the developer. The base price of the units would be approximately \$550,000 each.

Mr. Dellorco confirmed it is not a 55 or older development.

Ms. Pellegrini questioned how many houses could be built there without the zoning change. She stated 34 units with three bedrooms and children would have an impact on the school system. She asked Mr. Cerel if this is spot zoning.

Attorney Cornetta stated they have not done engineering for the conventional subdivision as it is not the market Grandis Homes is seeking. He thought maybe eight to ten conventional homes would fit there. He said they would be willing to discuss both two and three-bedroom units. Based on the figures, he still sees this as a net-positive for the town.

Mr. Cerel stated there is no hard and fast answer to whether this is spot zoning. It is a case-by-case determination as to whether it constitutes spot zoning.

Mr. Mercer also questioned the three-bedroom units.

Ms. Pfeffer stated that at a starting price of \$550,000 they are not going to get many young families with children moving in there as they cannot afford it as a starter home. She has always been against increasing water use for new developments. She finds it hard to believe that the town is not going to run out of water. There are two wells on Grove Street that must be shut down and another that is not running to capacity. As well, she mentioned that there could be a development trying to go in there that is three times this number of 34 units.

Mr. Jones stated that with the size of the proposed houses and three bedrooms, it cannot be argued that it will not have a major impact on the school system. Regardless of the price, if bedrooms are provided, people fill them.

Attorney Cornetta pointed out that this is not the market they are looking for. He stated that for people buying these high-end homes statistics show that other available private education options become more prevalent; therefore, this would not impact the public schools.

Mr. Jones stated he believes this development could have an adverse effect on the community, but he is willing to listen to additional information.

Mr. Dellorco stated there is only one child in Cook's Farm.

Mr. Padula stated he thinks it is a good idea and it should be investigated further. He would like to make a motion to move this to the Planning Board.

Mr. Nutting stated the process is that if the Town Council wants to move this forward, it would come to the Town Council as a zoning change and the Town Council would refer it to the Planning Board. They would hold a public hearing and make a recommendation to the Town Council. Then the Town Council has a public hearing with a first and second reading. If the Town Council wants to start the process, they need to put it under New Business for discussion.

Mr. Bissanti re-entered the meeting.

SUBCOMMITTEE REPORTS: *None.*

LEGISLATION FOR ACTION:

Mr. Mercer recused himself.

1. **Resolution 16-59: Authorization for Disposition (Sale of Town Owned Land on Grove Street, "Lot 2" former Nu Style Property) – (2/3 vote (6)).** ► Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-59: Authorization for Disposition (Sale of Town Owned Land on Grove Street, "Lot 2" former Nu Style Property) by **Jones. SECOND** by **Dellorco. Discussion:** ► Mr. Nutting stated this piece of parcel is part of the Nu-Style property. We have leased it to Mr. Jordan for about ten years. When it was finally cleaned up, we could offer it for sale to provide frontage for the property owner and have no more care and custody of the property. He noted there is still some tax money owed on

another property and wants to make sure that is cleared up before the Purchase and Sale agreement is done. He stated Mr. Jordan was present at the meeting. It cost about \$250,000 by the town to clear it up. It is priced so low because there is no value in the property as it is near a brook. When the town sells the piece of property where the actual factory was, that will be a different situation. ► Mr. Bissanti stated they should be thanking Mr. Jordan for taking this piece of property off our hands. ► **ROLL CALL VOTE:** Bissanti-YES; Dellorco-YES; Jones-YES; Kelly-YES; Padula-YES; Pellegrini-YES; Pfeffer-YES; Vallee-YES. **VOTE: Yes-8, No-0, Absent-0.**

Mr. Mercer re-entered the meeting.

2. **Resolution 16-60: Acceptance of Private Road Covenant off Garnet Drive – majority vote.** ► Ms. Pfeffer read the resolution. **MOTION to Waive** the by Jones. **SECOND** by Dellorco. **No discussion. VOTE: Yes-9, No-0, Absent-0.** **MOTION to Move** Resolution 16-60: Acceptance of Private Road Covenant off Garnet Drive by Mercer. **SECOND** by Dellorco. **Discussion:** ► Mr. Nutting stated this is a very small stub of street that goes into Wrentham. We do not want to have any responsibility for. This would make sure it would be a private road covenant. ► Mr. Padula confirmed it is a private road. **VOTE: Yes-9, No-0, Absent-0.**
3. **Resolution 16-62: Local Acceptance of G.L. Ch. 60, Section 3F, Municipal Veterans’ Assistance fund – majority vote.** ► Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-62: Local Acceptance of G.L. Ch. 60, Section 3F, Municipal Veterans’ Assistance fund by Mercer. **SECOND** by Padula. **Discussion:** ► Mr. Hellen stated the governor and legislature passed a veteran’s bill. They reviewed the different provisions. Establishing a municipal veterans’ assistance fund seemed appealing. Folks can tap into said fund for things like transportation, food, heat and oil assistance. Would be introducing this in January. There would be a slip in people’s property tax bills one time per year to indicate if they would like to donate to this fund; there is an application process. ► Mr. Dale Kurtz noted the guidelines for qualification. He stated he is reviewing why housing was excluded from the use of funds. **VOTE: Yes-9, No-0, Absent-0.**
4. **Resolution 16-63: Daily Drive: Declaration of Surplus and Authorization to sell small unimproved parcel off Dailey Drive – (2/3 vote (6)).** **MOTION to Move** Resolution 16-63: Daily Drive: Declaration of Surplus and Authorization to sell small unimproved parcel off Dailey Drive by Mercer. **SECOND** by Dellorco. **Discussion:** ► Mr. Nutting stated this small parcel that has no frontage became town property decades ago by tax title. It has no municipal use. In discussions with both neighbors, one would like to purchase the property. It will get off the town’s books and the town’s responsibility. ► **ROLL CALL VOTE:** Bissanti-YES; Dellorco-YES; Jones-YES; Kelly-YES; Mercer-YES; Padula-YES; Pellegrini-YES; Pfeffer-YES; Vallee-YES. **VOTE: Yes-9, No-0, Absent-0.**
5. **Resolution 16-64: Acceptance of Gift to the Franklin Police Department – majority vote.** ► Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-64: Acceptance of Gift to the Franklin Police Department by Padula. **SECOND** by Jones. **Discussion:** ► Mr. Nutting thanked the Mom’s Club of Franklin for the gift of \$150.00 and will send them a letter. **VOTE: Yes-9, No-0, Absent-0.**
6. **Resolution 16-65: Acceptance of Gift to the Franklin Police Department – majority vote.** ► Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-65: Acceptance of Gift to the Franklin Police Department by Mercer. **SECOND** by Padula. **Discussion:** ► Mr. Nutting thanked the Digital Federal Credit Union for the gift of \$3,500.00 and will send them a letter. **VOTE: Yes-9, No-0, Absent-0.**

7. **Resolution 16-66: Opposition to Passage of Ballot Question #4 – majority vote.** ► Ms. Pfeffer read the resolution. **MOTION to Move Resolution 16-66: Opposition to Passage of Ballot Question #4 by Padula. SECOND by Dellorco. Discussion:** ► Mr. Nutting stated this was requested by the Town Council to put on the agenda. ► Mr. Jones requested Mr. Cerel provide a summary of the ballot question. ► Mr. Cerel stated it is a detailed piece of legislation that was drafted by interests in seeing recreational marijuana become legal in Massachusetts. It tries to parallel alcohol regulation. There are issues about the extent of local control. It appears that to prohibit it in town there must be a ballot question for the town's voters and they must vote it down. Otherwise, it must be allowed in. **VOTE: Yes-9, No-0, Absent-0.**

8. **Bylaw Amendment 16-774: New Plastic Checkout Bag Prohibition Bylaw – 1st Reading (Motion to Move Bylaw Amendment 16-774 to a 2nd Reading – majority vote).** **MOTION to Waive the reading by Mercer. SECOND by Dellorco. No Discussion. VOTE: Yes-8, No-1, Absent-0** (Mr. Jones voted No). **MOTION to Move Bylaw Amendment 16-774 to a 2nd Reading by Mercer. SECOND by Jones. Discussion:** ► Mr. Nutting stated this came forward based on a presentation made a month ago by some Franklin High School students. He asked the students to provide a brief overview of the proposal. ► Ms. Alycia Felli, Franklin High School senior and two other high school students addressed the Town Council. She stated they are not coming with a closed mind and are looking for a happy medium for the retailers, consumers, Franklin citizens, and the environment. They would like to make Franklin a greener place for today and tomorrow. They are focusing on a reduction in these check out bags and would like to take them out of retail establishments. ► Mr. Jack Daddario of Daddario Hardware stated he uses plastic bags in his retail store and their counters are set up to use these bags. He understands what the students are trying to do, but he must look at it from the point of a retailer. He uses about 38,000 bags a year. It averages about 4 cents per bag. It is easy to grab. For him to make changes at this point will cost money. These expenses add up. This effects everyone in retail. For instance, to go with paper bags, how will it be set up at the counter, how will people carry them? He stated he was bothered that as a business owner, taxpayer, and resident, why people did not get notified of what was going on with this. He only heard about it a few days ago. If the town brought it to this point, why weren't people notified by email, postcard, or letter, so they could be ready to talk about it. He feels like it was just thrown at him. ► Ms. Mary Jo Peterson, 10 Juniper Road, commended the young adults for their interest in the environment and community. But, she is not in favor of the ban on plastic bags as it is currently written including the language, planned implementation, and overall cost to taxpayers. Of the many taxpaying residents and small business owners she has talked to, only a few had even heard of this ban; many thought she was joking. Their concerns included why is the town looking to change something when there does not seem to be a problem. What will it cost? She did research and found that such plastic bags are not the leading concern of pollution in the waterways. California implemented a plastic bag ban and found it cost the residents millions. It will also cost the administration to monitor and enforce the law. Also, banning the plastic bags did not reduce pollution. Therefore, California now placed it on the ballot and hopes to have the ban repealed. Massachusetts had considered such a ban, but Governor Baker expressed serious concerns with such a mandate. If Governor Baker has a problem with it, why would Franklin be trying to implement it by the summer of 2017. She noted data and reports that plastic bags are 100% recyclable and require less energy to manufacturer than paper bags. She proposed that this item be tabled until Massachusetts makes its final decision. ► Mr. James Lyons, Franklin resident, stated that liberties and freedoms are being taken away from the business owners with the proposed ban on plastic bags. It also takes away a benefit from customers that they enjoy. It is not improving the quality of life for the citizens of the town. Seems like most people don't want the ban because if they wanted to change their behavior, they would as reusable bags are already available. Taking plastic bags away will not do much for the environmental impact as they constitute a very small part of pollution and landfill. As well, he has not seen any data analysis or assessment on this proposal. The

students did a great job of telling a story about plastic bags, but there was no data analysis relevant to Franklin. There was no litter survey, no photographs showing how it was making the environment unpleasant in Franklin, and no discussion with surrounding towns that have implemented a plastic bag ban. In addition, the CDC has determined that E. coli bacteria are transferred from re-useable bags. ► Mr. Brad Verter of Cambridge, Founder of the Mass. Green Network, has supported plastic bag bans. He stated that four other communities in the state have joined the 36 cities and towns that have already passed a plastic bag ban. He wanted to correct some misimpressions. The rescinding of the plastic bag ban that is on the ballot in California is promoted by industry. In England, the bag ban has resulted in 85% reduction in litter. He provided facts on plastic bag use and resulting litter. ► Mr. Dale Kurtz, 4 Bald Hill Drive, questioned what is it going to cost a citizen and what is it going to cost the economy locally. He noted there is a plastic bag producing plant nearby and asked what would happen to those employees. He suggested to look at an alternative and find a better way to recycle what is being used instead of banning. ► Mr. Chris Depoto of Hillside Nurseries stated he is against any type of ban before thoroughly researching it. There is conflicting information about this; it should be tabled until further research is done. He questioned why should grocery plastic bags be banned, but allow donut shops to have plastic cups. He suggested being more proactive for recycling these plastic bags. ► Mr. Vallee stated this should have been referred to the Economic Development Committee for study and come back to Town Council with a recommendation. ► Mr. Bissanti stated he agreed with Mr. Vallee. He sees Mr. Nutting has this labelled as an environmental issue, but it has far-reaching economic implications. He welcomed the high school students to come to the EDC meetings. He applauded the students for their work, but it needs more discussion. ► Mr. Dellorco stated he is concerned about the small businesses and that they need to be more involved. ► Ms. Pellegrini suggested voting no to a second reading rather than tabling it. ► Mr. Padula stated he does not see this as a danger. He noted what the high school students did in raising awareness was great. He is in favor of it going to the EDC. He noted reusable bags pose a danger. ► Ms. Pfeffer stated they did a great presentation, but they need to ask the people of Franklin and the businesses. ► Mr. Jones stated many things take time because they need to go through due diligence. However, based on responses received this type of bylaw should be further reviewed and he recommended discussion at the EDC level. ► Mr. Mercer applauded the students' efforts. He received many emails from residents. Based on what he has heard, he would like to withdraw his motion. **MOTION to Withdraw** Bylaw Amendment 16-774 to a 2nd Reading by **Mercer. SECOND** by **Jones. MOTION to Withdraw** Motion to Move Bylaw Amendment 16-774 to a 2nd Reading by **Mercer. SECOND** by **Jones. MOTION to Move** this legislation of Bylaw Amendment 16-774 to the EDC for further review with the students and retailers and all those that would like to be heard and then have the EDC come back to the Town Council with a recommendation by **Mercer. SECOND** by **Dellorco. Discussion:** ► Mr. Cerel stated the best way is to vote no to sending this to a second reading. ► Chairman Kelly stated the motion will continue as Mr. Mercer stated it. ► **VOTE: Yes-8, No-1, Absent-0.**

9. **Zoning Bylaw Amendment 16-768: Districts Enumerated. Creation of Rural Business Zoning District – 1st Reading (Motion to Move Zoning Bylaw Amendment 16-768 to a 2nd Reading – majority vote).** **MOTION to Waive** the reading by **Mercer. SECOND** by **Dellorco. No Discussion. VOTE: Yes-9, No-0, Absent-0. MOTION to Move** Zoning Bylaw Amendment 16-768: Districts Enumerated. Creation of Rural Business Zoning District to a 2nd Reading by **Mercer. SECOND** by **Padula. Discussion:** ► Mr. Nutting stated this would move the process along on this zoning change. **VOTE: Yes-9, No-0, Absent-0.**
10. **Zoning Bylaw Amendment 16-769: Definitions. Country Store – 1st Reading (Motion to Move Zoning Bylaw Amendment 16-769 to a 2nd Reading – majority vote).** Ms. Pfeffer read the resolution. **MOTION to Move** Zoning Bylaw Amendment 16-769: Definitions. Country Store to a 2nd Reading by **Mercer. SECOND** by **Padula. Discussion:** ► Mr. Nutting stated he thinks this proposal is a good

compromise that allows for retail space expansion without impacting the neighborhood. ► Mr. Bissanti applauded the Depotos for hanging in for so long on this. ► Chairman Kelly also thanked the family for hanging in there. **VOTE: Yes-9, No-0, Absent-0.**

11. Zoning Bylaw Amendment 16-770: Rural Business Zone Use Regulations – 1st Reading (Motion to Move Zoning Bylaw Amendment 16-770 to a 2nd Reading – majority vote). MOTION to Waive the reading by Mercer. SECOND by Padula. No Discussion. VOTE: Yes-9, No-0, Absent-0. MOTION to Move Zoning Bylaw Amendment 16-770: Rural Business Zone Use Regulations to a 2nd Reading by Mercer. SECOND by Jones. Discussion: ► Mr. Nutting stated no comment. VOTE: Yes-9, No-0, Absent-0.

12. Zoning Bylaw Amendment 16-771: Rural Business Zone Dimensional Regulations – 1st Reading (Motion to Move Zoning Bylaw Amendment 16-771 to a 2nd Reading – majority vote). MOTION to Waive the reading by Mercer. SECOND by Dellorco. No Discussion. VOTE: Yes-9, No-0, Absent-0. MOTION to Move Zoning Bylaw Amendment 16-771: Rural Business Zone Dimensional Regulations to a 2nd Reading by Mercer. SECOND by Dellorco. No Discussion. VOTE: Yes-9, No-0, Absent-0.

13. Zoning Bylaw Amendment 16-772: Rural Business Zone Sign Regulations – 1st Reading (Motion to Move Zoning Bylaw Amendment 16-772 to a 2nd Reading – majority vote). MOTION to Waive the reading by Mercer. SECOND by Dellorco. No Discussion. VOTE: Yes-9, No-0, Absent-0. MOTION to Move Zoning Bylaw Amendment 16-772: Rural Business Zone Sign Regulations to a 2nd Reading by Mercer. SECOND by Padula. No Discussion. VOTE: Yes-9, No-0, Absent-0.

14. Zoning Bylaw Amendment 16-773: Zoning Map Changes from Rural Residential I to Rural Business an Area on Washington Street – 1st Reading (Motion to Move Zoning Bylaw Amendment 16-773 to a 2nd Reading – majority vote). Ms. Pfeffer read the resolution. MOTION to Move Zoning Bylaw Amendment 16-773: Zoning Map Changes from Rural Residential I to Rural Business an Area on Washington Street to a 2nd Reading by Mercer. SECOND by Dellorco. Discussion: ► Mr. Nutting stated this puts it on the map. ► Mr. Bissanti asked if this zoning was ever going to appear any place else on the map. ► Mr. Nutting stated that would be a decision by the Town Council. VOTE: Yes-9, No-0, Absent-0.

TOWN ADMINISTRATOR’S REPORT: ► Mr. Nutting reminded everyone that early voting starts next week on October 24th in the Municipal Building. He encouraged everyone to vote. ► Mr. Hellen stated the town is launching its new website over the weekend. It will have a new web address. If anyone has any comments or feedback, let Mr. Hellen know.

FUTURE AGENDA ITEMS: ► Mr. Padula asked about the R7 project that was presented earlier tonight and how to get it on a future agenda. ► Mr. Nutting stated someone must make a motion to put it on a future agenda. MOTION to Put it on a future agenda by Padula. SECOND by Jones. (No vote was taken.)

COUNCIL COMMENTS: ► Ms. Pellegrini stated she spoke with Tony Padula, Chairman Planning Board, and they are willing to meet with the Town Council for joint public hearings. ► Mr. Padula stated the Lawyer of the Day program was started again. On the first Tuesday of the month from 2-4 PM a person can contact the clerk’s office and ask general legal questions, not criminal questions. ► Mr. Jones stated the Franklin Education Foundation is hosting its annual fundraiser, the Harlem Wizard’s Basketball game, on November 18 at Tri-County. Tickets are still available. He thanked everyone that came out tonight for the plastic bag discussion. On November 2, he will be meeting with Mr. James Schultz, Community Director Franklin TV, and will continue the discussion on communications; he hopes to have

information by the end of the year on improvements that have been made ► Mr. Dellorco commended Coach Greg DiMarzio who created a GoFundMe page for a Pop Warner football player who needed a tutor; there has been a great response. ► Mr. Bissanti commended Mr. Bryan Taberner, Mr. Hellen and Mr. Nutting for the great meeting and great new website. ► Ms. Pfeffer asked if the town was currently party to any lawsuits. ► Mr. Cerel stated it depends on what kind of lawsuits she is referring to. Plain Street is in the processing of settling. ► Mr. Nutting stated that all personnel matters are confidential. Lawsuits can be filed against the town for discrimination; there are usually two or three a year. ► Chairman Kelly thanked the people that stayed to watch the remainder of the meeting.

EXECUTIVE SESSION: *None.*

ADJOURN: MOTION to Adjourn by Mercer. SECOND by Jones. Yes-9, No-0, Absent-0. Meeting adjourned at 8:58 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
November 2, 2016**

A meeting of the Town Council was held on Wednesday, November 2, 2016 at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present: Andrew Bissanti, Robert Dellorco, Glenn Jones, Matthew Kelly, Thomas Mercer, Peter Padula, Deborah Pellegrini, Judith Pond Pfeffer, Robert Vallee. Councilors absent: None. Administrative personnel in attendance: Jeffrey Nutting, Town Administrator; Jamie Hellen, Deputy Town Administrator; Mark Cerel, Town Attorney.

CALL TO ORDER: ► Chairman Kelly called the meeting to order at 7:00 PM with a moment of silence and the Pledge of Allegiance.

ELECTION OF OFFICERS: *Chairman, Vice-Chairman, Clerk.*

► Nominations were accepted for Town Council Chairman. **Nomination of Kelly by Jones. SECOND by Pellegrini. Motion to Close nominations by Padula. SECOND by Jones. VOTE to close nominations: Yes-9, No-0, Absent-0. ► VOTE to elect Kelly as Chairman: Yes-9, No-0, Absent-0.**

► Nominations were accepted for Town Council Vice Chairman. **Nomination of Vallee by Bissanti. SECOND by Dellorco. Motion to Close nominations by Bissanti. SECOND by Jones. ► VOTE to close nominations: Yes-9, No-0, Absent-0. ► VOTE to elect Vallee as Vice Chairman: VOTE: Yes-9, No-0, Absent-0.**

► Nominations were accepted for Town Council Clerk. **Nomination of Pfeffer by Padula. SECOND by Mercer. Motion to Close nominations by Dellorco. SECOND by Jones. ► VOTE to close nomination: Yes-9, No-0, Absent-0. ► VOTE to elect Pfeffer as Clerk: VOTE: Yes-9, No-0, Absent-0.**

APPROVAL OF MINUTES: *None.*

ANNOUNCEMENTS: ► Chairman Kelly announced the meeting is being recorded by *Franklin TV* and available for viewing on Comcast Channel 11 and Verizon Channel 29. This meeting may also be recorded by others.

PROCLAMATIONS/RECOGNITIONS: *Franklin Sheet Metal.* ► Ms. Pfeffer, on behalf of the Town of Franklin, read the proclamation honoring, commending, and thanking Franklin Sheet Metal; they have been a successful business in Franklin for the past 63 years. The company was started by brothers Fred and Gus Baglioni in 1953 at 231 Cottage Street, where it remains today. The company has been the creator and maker of various machines and has provided sandblasting services to the Town of Franklin.

CITIZEN COMMENTS: ► Ms. Jane Curran, owner of Jane's Frames in downtown Franklin and one of the founding members of the Franklin Downtown Partnership, addressed the Town Council. She thanked the Town Council for helping in the creation of the Downtown Partnership. She stated they were having a 15-year anniversary party on November 12, 2016 and hoped the Town Council members would join the celebration to be held at The Black Box. Tickets are available at the Franklin Downtown Partnership office, Jane's Frames, and online. She stated the downtown looks beautiful. ► Ms. Teresa Burr, Franklin Town Clerk, stated that with the early voting going on Mr. Jeff Nutting presented her and her staff with a beautiful plaque. They were awarded a gold medal award from the state for providing substantial early voting opportunities to Franklin's citizens. She noted that early voting will continue through Friday at 1:00 PM. Absentee voting will continue until Monday at 12:00 PM. Voting next Tuesday is from 6:00 AM to 8:00 PM.

APPOINTMENTS: *Council on Aging.* ► Ms. Pfeffer read the appointment. **Motion to Ratify** the appointment by the Town Administrator of Ron Higginbottom to serve as a member of the Council on

Aging, term to expire June 30, 2018 by **Pfeffer**. **SECOND** by **Mercer**. **Discussion:** Mr. Higginbottom stated he was looking forward to serving. ► **VOTE: Yes-9, No-0, Absent-0.**

HEARINGS: None.

LICENSE TRANSACTIONS: None.

SUBCOMMITTEE REPORTS: None.

LEGISLATION FOR ACTION:

1. **Resolution 16-58: Request for Legislation Exempting all Positions in the Fire Department from Civil Service Law – (Majority Vote).** ► Mr. Nutting stated he had sent out an email asking for a month extension. **MOTION to Table** Resolution 16-58: Request for Legislation Exempting all Positions in the Fire Department from Civil Service Law to December 7, 2016 at 7:10 PM by **Mercer**. **SECOND** by **Dellorco**. **Discussion:** ► Mr. Padula asked if this would be enough time to work out all the issues; based on what he has heard there is a lot to work out. ► Mr. Nutting said it would be enough time to work out the language on how the promotions would work. ► Mr. Vallee asked who is involved in the negotiations. ► Mr. Nutting stated himself, the fire chief, and the leadership of the union; Mark Cerel is not involved. ► Mr. Dellorco asked if they would hear from the firefighters. ► Mr. Nutting stated yes; they were invited, but told not to come tonight because it was going to be tabled until December 7. ► Mr. Bissanti clarified that the firefighters will have an opportunity to speak. ► Mr. Nutting stated the debate is if the Town Council wants to change the system and adopt the resolution. **VOTE: Yes-9, No-0, Absent-0.**

2. **Resolution 16-61: Confirmatory Order of Taking – Unimproved Land Off Lincoln Street Located in Rolling Brook Estates Residential Subdivision – (2/3 Vote (6)).** ► Ms. Pfeffer read the resolution. **MOTION to Waive** the balance of the reading by **Mercer**. **SECOND** by **Vallee**. **No discussion.** **VOTE: Yes-8, No-1, Absent-0** (Ms. Pfeffer voted no). **MOTION to Move** Resolution 16-61: Confirmatory Order of Taking – Unimproved Land Off Lincoln Street Located in Rolling Brook Estates Residential Subdivision by **Mercer**. **SECOND** by **Jones**. **Discussion:** ► Mr. Bissanti asked if this was the land that abuts the Keller School. ► Mr. Nutting stated yes. He stated the Town Council voted a few weeks ago to accept this land; this is a confirmatory taking to make sure the title is clear. He discussed eminent domain. In this case the land was donated. ► Mr. Bissanti asked Mr. Nutting for confirmation that they extended the subdivision road and picked up two more house lots. ► Mr. Nutting stated they donated the land and the Planning Board did grant them two house lots. ► Mr. Bissanti stated that he wanted to go on the record that those two house lots will probably yield four bedrooms each, eight bedrooms total. He has heard a lot of discussion from this Town Council about bedrooms and how that translates into children in the school system. He said this will probably yield six to eight children and be more children than what would show up in some of the new zonings they have been trying to endorse. Those will be big houses up there. ► **ROLL CALL VOTE:** Bissanti-NO; Dellorco-YES; Jones-YES; Kelly-YES; Mercer-YES; Padula-YES; Pellegrini-YES; Pfeffer-YES; Vallee-YES. **VOTE: Yes-8, No-1, Absent-0.**

3. **Resolution 16-67: Rescind Borrowing Authority (Resolution 16-20 Appropriate and Authorize Borrowing of Funds to Pay Costs of the Construction of Sidewalks and Related Work) Fund Through Appropriation – (Majority Vote).** ► Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-67: Rescind Borrowing Authority (Resolution 16-20 Appropriate and Authorize Borrowing of Funds to Pay Costs of the Construction of Sidewalks and Related Work) Fund Through Appropriation by **Mercer**. **SECOND** by **Dellorco**. **Discussion:** ► Mr. Nutting stated the Town Council had authorized the appropriation of \$1.8 million for the sidewalks on Pleasant, Chestnut and

Griffin Streets with the idea to not borrow but pay cash. Now the project is half done and would like to rescind authorization and transfer the funds to pay cash. ► Mr. Vallee stated they are not concrete so in his opinion they are not sidewalks. ► Ms. Pfeffer asked how much money would be left in free cash when this is taken out. ► Mr. Nutting stated about \$3.4 million. **VOTE: Yes-9, No-0, Absent-0.**

PRESENTATIONS/DISCUSSIONS: Senator Spilka, Senator Ross, Representative Roy. ► Senator Spilka, Senator Ross, and Representative Roy addressed the Town Council. Senator Spilka, Ways and Means Chair, stated she wanted to mention a few of the big bills done this past legislative session including substance abuse treatment, education and prevention. They need to stem the tide of this opioid epidemic. They also did a public records reform and a major pay-equity bill. In addition, they did a clean energy bill, municipal modernization, and addressed charter schools. She talked about the state budget and how they try to figure out tax revenue for the year. The budgets were done in June and they had to cut \$750 million from what was proposed; the House and Senate worked together and did the needed cuts. Sales tax has been below projections; a little higher in corporate taxes than projected. Overall, right now there will be no actual cuts in the budget as to what was voted on and budgeted. Hopefully, the money proposed for Franklin will be released. She said people can contact their offices for additional information. ► Senator Ross further explained some of the highlights Senator Spilka mentioned. He spoke about working on the opioid committees; they built in some safeguards for pharmacies/prescribing. He was pleased to see some of the things Franklin did get such as \$25,000 to develop a recreation management plan for Franklin, Medway, and Bellingham by the Army Corp. of Engineers, \$15,000 for the Franklin Downtown Partnership supporting community events, \$65,000 for public safety in Franklin, and \$50,000 for the Senior Center. He stated that the governor has not yet released these funds; as such, it is imperative the Town Council takes proactive measures to keep them on the radar screen. He said he was hearing about the Spectra pipeline and noted oversight of this is not through the legislature; it is not within their purview. ► Representative Roy thanked the Town Council for granting access to the land off Pond Street for the \$25,000. He explained the new website devoted to legal notices; he thanked Councilor Jones for spearheading this. He noted Tegra Medical of Franklin was recognized as a manufacturer of the year. He said the Council of Aging received an increase in funding. He explained the legislation that was passed for license plates for special small charities; many non-profits have difficulty raising money and now they have this. He remarked that Sen. Spilka, Sen. Ross and he work very well together and they get things done together. ► Town Council members asked questions and talked about concerns including the percentage of revenue that is down from sales tax, OPEB liability, road repair help for Franklin, SAFE coalition, and substance abuse. The Town Council members said the representatives do a great job. ► Mr. Nutting stated they did reach out to each agency that had Franklin earmarked and they all said everything is on hold until the governor says ok.

TOWN ADMINISTRATOR'S REPORT: ► Mr. Nutting thanked Ryan and everyone for the pumpkin festival last weekend. The Franklin Police Department had about 1,200 kids to their Halloween party; it was a huge success. Maybe next year will try to put those two events together. ► Punch list for downtown continues to be worked on. ► Pleasant Street sidewalk is 98% done; still must get light installed at DelCarte. Working on Pleasant Street until weather prohibits. ► Getting some other pavement done in Northgate area and at Senior Center; hoping for three weeks of good weather. ► Mr. Hellen stated the library had a Halloween party last week at 25 Kenwood. It was packed; it was a great event. ► Regarding Municipal Aggregation, price bids came back and bad news is not a lot of savings to be had. Will punt on that for a little while. Good news is have gone through the approval process. Consultant will continue to watch the market. Hopefully, will get better rates at some point. He noted the town has not spent anything on this program so far.

FUTURE AGENDA ITEMS: ► Mr. Jones would like to add a potential private water use ban and water conservation for discussion. ► Mr. Padula would like to put the project on Summer Street on a future agenda. ► Chairman Kelly stated they are on the November 16, 2016 agenda.

COUNCIL COMMENTS: ► Mr. Jones thanked EPA for helping to clean up 300 Fisher Street. He thanked police officers for their great job on Halloween night to support the children and keep them safe. ► Mr. Bissanti commended the Town Clerk's office for the great job they have done for voting. ► Ms. Pfeffer stated she was also at the meeting with the EPA; Fisher Street was a superfund site. The EPA will be monitoring the taking down of the old factory. They basically said anything on their list gets taken care of. ► Chairman Kelly gave condolences to the Sullivan family for their loss.

EXECUTIVE SESSION: *None.*

**ADJOURN: MOTION to Adjourn by Mercer. SECOND by Dellorco. Yes-9, No-0, Absent-0.
Meeting adjourned at 9:04 PM.**

Respectfully submitted,

Judith Lizardi
Recording Secretary

ANNOUNCEMENTS:

Cub Scouts Pack 17 – Pledge of Allegiance

APPOINTMENTS

- CULTURAL COUNCIL



APPOINTMENTS

Franklin Cultural Council

Barbara Gardner
861 Washington Street

The Franklin Cultural Council has recommended the appointment of Barbara Gardner to serve as a member of the Franklin Cultural Council with an expiration of June 30, 2019

MOTION to ratify the appointment by the Town Administrator of Barbara Gardner to serve as a member of the Franklin Cultural Council.

DATED: _____, 2016

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

Teresa M. Burr
Town Clerk

ABSTAIN _____

ABSENT _____

Judith Pond Pfeffer, Clerk
Franklin Town Council



**TOWN OF FRANKLIN
BOARD/COMMITTEE VOLUNTEER FORM**

If you are interested in volunteering by serving on a Town Board/Committee, please complete this form and return it the Town Administrator's Office located at 355 East Central Street, Franklin MA. For inquires call 508-520-4949.

Name: Barbara Gardner

Address: 861 Washington St., Franklin, MA 02038

Day Telephone: 617-636-2473

Evening Telephone: 978-727-2368

Email: brbhln@gmail.com

List the Board/Committee (s) you are interested in:

cultural council

Present Business Affiliation and work:

Tufts University, Boston, MA
Associate Director of Research Administration

Government Experience:

n/a

Education or Special Training:

I will receive my MBA in Dec also, my job revolves around the federal, private and foundation grant arena: I submit grant requests, negotiate contract terms and conditions, and approve sub-awards for lower tier grant recipients

Positions previously held in town government:

n/a

How much time would you be willing to donate:

5-10 hours a month or more for specific issues

What days of the week and hours would you be available:

The Thursday eve meeting time works well for me but am open to other day/times

Comment on why you are interested in serving a particular committee and what you think you could contribute:

Now that I am completing my schooling, I am actively looking for ways to become more active in my community. This opportunity seems to fit well with my strengths, and who doesn't like being able to give away money to deserving groups?

Information received will be available to the Board and Committees that you list. To find out more about a Board/Committee click on link: [Boards & Committees](#)



APPOINTMENTS

Cultural Council

Rob Cautillo
230 Daniels Street

The Cultural Council has recommended the appointment of Rob Cautillo to serve as a member of the Cultural Council with an expiration of June 30, 2017.

MOTION to ratify the appointment by the Town Administrator of Rob Cautillo to serve as a member of the Cultural Council.

DATED: _____, 2016

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

Teresa M. Burr
Town Clerk

ABSTAIN _____

ABSENT _____

Judith Pond Pfeffer, Clerk
Franklin Town Council



TOWN OF FRANKLIN
BOARD/COMMITTEE VOLUNTEER FORM

If you are interested in volunteering by serving on a Town Board/Committee, please complete this form and return it to the Town Administrator's Office located at 355 East Central Street, Franklin MA. For inquiries call 508-520-4949.

Name: ROB CAUTILLO

Address: 230 DANIELS ST.

Day Telephone: 617-470-3267 Evening Telephone: 617-470-3267

Email: RCAUTILLO@GMAIL.COM

List the Board/Committee (s) you are interested in:

CULTURAL COUNCIL

Present Business Affiliation and work:

SR. PROGRAM MANAGER - MCGRAW-HILL EDUCATION, DIGITAL PLATFORMS

Government Experience: NA

Education or Special Training: PROJECT MANAGEMENT, COMMUNITY MUSICIAN,
B.A. IN MUSIC, PREVIOUSLY WORKED IN CONCERT PRODUCTION &
POSITIONS PREVIOUSLY HELD IN TOWN GOVERNMENT: COORDINATION.

NA

How much time would you be willing to donate: 2-4 HOURS/MONTH

What days of the week and hours would you be available:

M, TH, FR, SAT, SUN. WEEKDAYS: AFTER 6:30 PM
WEEKENDS: MORNINGS

Comment on why you are interested in serving a particular committee and what you think

you could contribute: I HAVE A PASSION FOR THE ARTS & COMMUNITY

ENRICHMENT. I'VE BEEN A MEMBER OF COMMUNITY ART GROUPS FOR
THE LAST 10 YEARS, I RECENTLY MOVED TO FRANKLIN, & WOULD LIKE TO
VOLUNTEER IN MY HOME TOWN. I HAVE EXPERIENCE IN LARGE-SCALE
INFORMATION RECEIVED WILL BE AVAILABLE TO THE BOARD AND COMMITTEES THAT YOU LIST. TO FIND OUT MORE
ABOUT A BOARD/COMMITTEE CLICK ON LINK: [Boards & Committees](#) CONCERT PRODUCTION, A CAREER
IN PROJECT MANAGEMENT, AND A DESIRE TO CREATE A
CULTURALLY RICH & DIVERSE COMMUNITY.

LEGISLATION

FOR

ACTION

Office of the Town Administrator



MEMORANDUM

Date: September 30, 2016

To: Town Council

Cc: Bryan Taberner, AICP, Director

From: Jeffrey Nutting, Town Administrator 

Subject: Consideration to rezone land at the corner of Washington and Spring Street

As you are aware the owners of Hillside Nursery have requested a zoning change to allow for the expansion of the nursery to a more diverse establishment. This has been an ongoing discussion for over a decade. Based on many conversations we drafted a new zoning bylaw that would allow for a "country store". A country store would be limited to 3,500 square feet and it would be a requirement that one half of the area sell flowers, produce, etc. and the other part would accommodate "convenience items" as well as the potential for a small seating area.

We held an informal neighborhood meeting in August that was well attended. Some neighbors oppose the change of use for various reasons and others supported the idea and many made no comments.

At this point in time, I believe the Council should go through the process of a public hearing and make a decision once you have heard from all the concerned citizens.

I am happy to answer any questions you may have.

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: CREATION OF PROPOSED RURAL BUSINESS (RB) ZONING DISTRICT,
BYLAW AMENDMENTS 16-768, 16-769, 16-770, 16-771, 16-772, & 16-773
CC: FRANKLIN PLANNING BOARD
JAMIE HELLEN, DEPUTY TOWN ADMINISTRATOR
DATE: SEPTEMBER 28, 2016

To create a new Rural Business Zoning District where a Country Store would be allowed within a primarily residential area, Franklin Town Council will need to approve six zoning bylaw amendments. A summary of the proposed zoning bylaw amendments is provided below. The amendment documents were developed considering the substantial public input received during August 2016.

Zoning Bylaw Amendment 16-768: Districts Enumerated. Creation of Rural Business Zoning District.

The Zoning Amendment would add a new "Rural Business" (RB) zoning district description to Section 185-4 of the Town's Zoning Bylaw. The proposed zoning district description is as follows:

The Rural Commercial District (RB) is intended primarily for low-intensity commercial uses located in or within close proximity to primarily residential neighborhoods, providing retail and agricultural services to the surrounding community. The district is further classified by rural neighborhood design concepts consistent with the character of the community, complementary in scale and appearance with the surrounding neighborhood, with low luminescent lighting fixtures, densely planted property borders, and pedestrian scaled signage with external illumination.

Zoning Bylaw Amendment 16-769: Definitions. Country Store

The Zoning Amendment would add the following definition for "Country Store" to Section 185-3 of the Zoning Bylaws:

A retail sales establishment, consisting of one building not to exceed 3,500 square feet, selling retail items such as fresh fruits, vegetables, flowers, herbs, plants, gifts and crafts. The accessory sale of prepackaged retail foods, not made on premises, including baked goods, sandwiches, snack bar items, coffee, tea, preserved and imported foodstuffs is also allowed. A country store may sell a limited range of dry goods and convenience items to consumers, which shall not exceed 50% of the floor area open to the public. Up to twenty

(20) seats are allowed for interior and exterior seating. More than twenty seats shall require a Special Permit. Interior seating shall not exceed 10% of the floor area open to the public. Motor vehicle services, sales of outside petroleum products, Lottery, and sale of tobacco and alcoholic beverages, other than beer and wine, are not allowed.

Zoning Bylaw Amendment 16-770: Rural Business Zone Use Regulations

The Zoning Amendment would add the Rural Business zoning district to the Use Regulation Schedules (Attachments 2 through 8) of the Zoning Bylaws. Proposed uses allowed in the new Rural Business zoning district are similar to what is currently allowed in the Rural Residential I zone. Uses allowed by right or special permit are as follows:

- Residential Uses: Single Family only.
- Commercial Uses: Nursery/Greenhouse, Agricultural uses (but no livestock or poultry), and Country Store. A Country Store would require a Planning Board Special Permit.
- Accessory Uses: Professional Office/Studio, Retail Sales/Services (not to exceed 50% of floor area open to public), Storage and Distribution of Landscape Materials (seasonal only).
- Pre-existing non-conforming uses.

Zoning Bylaw Amendment 16-771: Rural Business Zone Dimensional Regulations

The Zoning Amendment would add the Rural Business (RB) zoning district to the Dimensional Regulations Schedule (Attachment 9) of the Zoning Bylaws. Proposed dimensional regulations are as follows:

- Minimum lot size is the same as the Rural Residential I zone (40,000 sf).
- Minimum frontage is the same as the Rural Residential I zone (200 feet).
- Minimum setbacks are similar to the Rural Residential I zone.
- Building height is less than allowed in the Rural Residential I zone: 1.5 floors, with a maximum height of 30 feet.
- Maximum impervious surface is less than allowed in the Rural Residential I zone.
 - The maximum gross building footprint of non-residential primary use structures is 3,500 square feet. Note: A Country Store would be a primary use structure.
 - A maximum of 10% of a parcel's upland can contain structures, and another 20% of the parcel's upland can be used for paving. Maximum of 30% of a parcel's upland can be impervious surface.

Zoning Bylaw Amendment 16-772: Rural Business Zone Sign Regulations

The Zoning Amendment would regulate the size of signs within the Rural Business zoning district; the maximum size of signage within the new district would be the same as those allowed in the Downtown Commercial Sign District.

Zoning Bylaw Amendment 16-773: Zoning Map Changes From Rural Residential I to Rural Business an Area on Washington Street

The Zoning Amendment would add one parcel on Washington Street (parcel 323-028-000) to the new Rural Business zoning district.

Please let me know if additional information is required for next week's Town Council meeting.

TOWN OF FRANKLIN

ZONING BY-LAW AMENDMENT 16-768

**DISTRICTS ENUMERATED. CREATION OF RURAL BUSINESS 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 the following text at §185-4. Districts Enumerated:

- A. For the purposes of this chapter, the Town of Franklin is hereby divided into the following types of districts:

Rural Residential I (RRI)

Rural Residential II (RRII)

Single-Family Residential III (SFRIII)

Single-Family Residential IV (SFRIV)

General Residential V (GRV)

Residential VI (RVI)

Residential VII (RVII)

Commercial I (CI)

Commercial II (CII)

Business (B)

Industrial (I)

Limited Industrial (LI)

Neighborhood Commercial (NC)

Office (O)

Downtown Commercial (DC)

Rural Business (RB)

- B. In addition, there are eight overlay districts: the Flood Hazards District as established in §185-24, the Water Resource District as established in §185-40, the Wireless Communications Services District as established in §185-44, the Biotechnology Use Overlay District as established in §185-42, the Adult Use Overlay District as established in §185-47, the Senior Village Overlay District as established in §185-48, the Sign District Map as established in §185-20 and the Medical Marijuana Use Overlay District as established in §185-49.

C. Intent of districts. The intent of the zoning districts is as follows: (Please refer to the Table of Use for specific uses as they relate to each zoning district.)

- (1) The Rural Residential Districts (RRI, RRII) are intended primarily for single-family residential uses in a rural and semi-rural environment. Agricultural uses are generally permitted. Generally, commercial and industrial uses are not permitted.
- (2) The Single-Family Residential Districts (SFRIII, SFRIV) are intended primarily for single-family residential uses in a semi-rural and suburban environment. Two-family residential uses may be permitted in some areas. Generally commercial and industrial uses are not permitted; however, limited commercial uses may be permitted in some areas.
- (3) The General Residential V District (GRV) is intended primarily for single-family and two-family residential uses in a suburban downtown environment. Multifamily and apartment uses may also be permitted. In addition, certain commercial uses may be permitted, but most nonresidential uses are not allowed.
- (4) The Residential VI District (RVI) is intended primarily for multifamily and apartment residential uses in a suburban environment. Limited commercial uses may be permitted. See §185-38. Multifamily and flexible development zoning bylaw for further requirements of the Residential VI District.
- (5) The Residential VII District (RVII) is intended primarily for single-family residential uses in a semi-rural environment. Multiple, single-family dwelling units may be permitted. Preservation of open space is encouraged and most nonresidential uses are not allowed. Please see §185-50. Residential VII for further requirements of the RVII District.
- (6) The Commercial I District (CI) is intended primarily for office, retail, service, trade, restaurant, and other commercial uses in a downtown environment. Limited industrial uses may be permitted. Single-family, two-family and multifamily and apartment residential uses may also be allowed.
- (7) The Commercial II District (CII) is intended primarily for office, retail, service, trade, restaurant, and other commercial uses and limited industrial uses in a suburban commercial environment. Single-family and two-family residential uses may also be permitted.
- (8) The Business District (B) is intended primarily for nonresidential uses such as office, retail, service, trade, restaurant, and other commercial uses with some limited industrial uses in a suburban commercial environment.
- (9) The Office District (O) is intended primarily for office parks, business uses, limited commercial and light industrial uses. Industrial uses such as warehouse and manufacturing are not permitted except as an accessory use. Residential uses are not permitted.
- (10) The Industrial District (I) is intended primarily for light and medium industrial uses, warehouse and distribution uses, and business uses. Some commercial uses may be permitted but residential uses are not permitted.

- (11) The Limited Industrial District (LI) is intended primarily for light industrial service, trade and limited business uses. In addition, accessory office and retail uses may be permitted. Residential uses are not allowed.
- (12) The Neighborhood Commercial District (NC) is intended primarily for low-intensity commercial uses located in or within close proximity to primarily residential neighborhoods providing retail and personal services which serve the surrounding neighborhood. Industrial uses are not allowed. The District is further classified by its neighbor- and pedestrian-friendly design concepts including low luminescent lighting fixtures, visibly obscured parking areas, densely planted property borders, nonintrusive architecture and pedestrian scaled signage with external illumination.
- (13) The Downtown Commercial District (DC) is intended as a mixed use, transit-oriented commercial district which combines first floor commercial uses with upper floor office or multi-unit residential uses. An emphasis is placed on commercial uses like restaurants and retail that support an economically rich downtown environment.
- (14) The Rural Business District (RB) is intended primarily for low-intensity commercial uses located in or within close proximity to primarily residential neighborhoods, providing retail and agricultural services to the surrounding community. The district is further classified by rural neighborhood design concepts consistent with the character of the community, complementary in scale and appearance with the surrounding neighborhood, with low luminescent lighting fixtures, densely planted property borders, and pedestrian scaled signage with external illumination.

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: _____, 2016

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

**Teresa Burr
Town Clerk**

ABSENT _____

Judith Pond Pfeffer, Clerk

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 16-769
DEFINITIONS. COUNTRY STORE**

**A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE AT
CHAPTER 185, SECTION 3.**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

Chapter 185 of the Code of the Town of Franklin is hereby amended by adding the following text at §185-3 Definitions:

COUNTRY STORE - A retail sales establishment, consisting of one building not to exceed 3,500 square feet, selling retail items such as fresh fruits, vegetables, flowers, herbs, plants, gifts and crafts. The accessory sale of prepackaged retail foods, not made on premises, including baked goods, sandwiches, snack bar items, coffee, tea, preserved and imported foodstuffs is also allowed. A country store may sell a limited range of dry goods and convenience items to consumers, which shall not exceed 50% of the floor area open to the public. Up to twenty (20) seats are allowed for interior and exterior seating. More than twenty seats shall require a Special Permit. Interior seating shall not exceed 10% of the floor area open to the public. Motor vehicle services, sales of outside petroleum products, Lottery, and sale of tobacco and alcoholic beverages, other than beer and wine, 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: _____, 2016

VOTED:
UNANIMOUS _____

A True Record Attest:

YES _____ NO _____

ABSTAIN _____

**Teresa Burr
Town Clerk**

ABSENT _____

**Judith Pond Pfeffer, Clerk
Town Council**

Sponsor: *Administration*

TOWN OF FRANKLIN

ZONING BY-LAW AMENDMENT 16-770

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

NOTES:

- 1 For sale of produce raised or grown on the premises by the owner or lessee thereof.
 2 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													
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	<u>RB</u>	CI	CII	DC	B	I	LI	O
2. Commercial														
2.1 Adult entertainment establishment	N	N	N	N	N	N	<u>N</u>	N	N	N	N	N ²	N	N
2.2 Animal kennel, hospital	BA	BA	BA	BA	BA	BA	<u>N</u>	BA	BA	N	BA	BA	BA	BA
2.21 Animal day care, training	BA	BA	BA	BA	BA	BA	<u>N</u>	BA	BA	N	BA	BA	BA	BA
2.22 Animal grooming	BA	BA	BA	BA	BA	BA	<u>N</u>	Y	BA	Y	BA	BA	BA	BA
2.3 Office, excluding office parks:														
a. Bank or credit union	N	N	PB	PB	PB	PB	<u>N</u>	Y	Y	Y	Y	Y	Y	Y
b. Medical or dental	PB	PB	PB	PB	PB	PB	<u>N</u>	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP
c. Professional	PB	PB	PB	PB	PB	PB	<u>N</u>	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP
d. Clerical, or administrative	N	N	N	PB	PB	PB	<u>N</u>	Y ⁶	Y	Y	Y	Y	Y	Y
2.4 Funeral home, undertaking	N	N	N	N	N	P/SP	<u>N</u>	P/SP	P/SP	P/SP	P/SP	N	N	N
2.5 Hotel, motel	N	N	N	N	N	N	<u>N</u>	PB	PB	Y	PB	PB	PB	PB
2.6 Motor vehicle, boat, farm implement sales; rental and leasing:														
a. With repair service	N	N	N	N	N	N	<u>N</u>	N	PB	N	N	N	N	N
b. Without repair service	N	N	N	N	N	N	<u>N</u>	N	PB	N	PB	N	N	N
c. Other	N	N	N	N	N	N	<u>N</u>	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	<u>N</u>	N	PB	N	N	PB	N	N
b. Filling or service station	N	N	N	N	N	N	<u>N</u>	PB	PB	N	PB	PB	N	N
c. Other	N	N	N	N	N	N	<u>N</u>	PB	PB	N	PB	PB	N	N
2.8 Parking														
a. Parking facility	N	N	N	N	N	N	<u>N</u>	N	N	N	N	N	N	N
b. Off-street parking	N	N	N	N	N	N	<u>N</u>	N	N	PB	N	N	N	N
2.9 Restaurant, bar	N	N	N	N	N	<u>N</u>	<u>N</u>	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	<u>RB</u>	CI	CII	DC	B	I	LI	O
2.10 Shopping center	N	N	N	N	N	N	<u>N</u>	PB	PB	N	PB	N	N	N
2.11 Storage facility	N	N	N	N	N	N	<u>N</u>	N	PB	N	N	N	N	N
2.12 Tattoo parlor/body-piercing studio	N	N	N	N	N	N	<u>N</u>	N	N	N	N	PB	N	N
2.13 Tourist home	PB	PB	P/SP	P/SP	P/SP	P/SP	<u>N</u>	P/SP	P/SP	N	P/SP	N	N	N
2.14 Office park	N	N	N	N	N	PB	<u>N</u>	PB	PB	N	PB	PB	N	Y
2.15 Other retail sales, services														
a. General	N	N	N	N	N	N	<u>N</u>	P/SP	P/SP	P/SP	P/SP	N ⁴	N ⁴	N ⁴
b. Personal	N	N	N	N	N	P/SP ⁵	<u>N</u> ⁴	P/SP	P/SP	P/SP	P/SP	N ⁴	N ⁴	N ⁴
c. Other	N	N	N	N	N	N	<u>N</u>	P/SP	P/SP	P/SP	P/SP	N ⁴	N ⁴	N ⁴
2.16 Vehicular service establishment	N	N	N	N	N	N	<u>N</u>	PB	PB	PB	PB	N	N	N
2.17 Trade center	N	N	N	N	N	N	<u>N</u>	N	N	N	N	N	P/SP	PB
2.18 Catering	PB	PB	PB	PB	PB	PB	<u>N</u>	PB	PB	PB	PB	Y	Y	N
2.19 Function Hall	PB	N	PB	PB	PB	PB	<u>N</u>	PB	PB	PB	PB	Y	Y	N
2.20 Psychic services/fortune-telling	N	N	N	N	N	PB	<u>N</u>	N	N	N	N	PB	N	N
2.21 Bed-and-breakfast	PB	PB	P/SP	P/SP	P/SP	P/SP	<u>N</u>	P/SP	P/SP	P/SP	P/SP	N	N	N
2.22 Country Store	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>PB</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>Y</u>	<u>N</u>	<u>N</u>	<u>N</u>

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.

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													
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	<u>RB</u>	CI	CII	DC	B	I	LI	O
3. Industrial, utility														
3.1 Bus, railroad station	N	N	N	N	N	N	<u>N</u>	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP
3.2 Contractor's yard														
a. Landscape materials storage and distribution	N	N	N	N	N	N	<u>N</u> ⁷	N	N	N	N ⁷	P/SP	N	N
b. Other	N	N	N	N	N	N	<u>N</u>	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	<u>N</u>	BA	BA	N	BA	BA	BA	BA
b. Earth removal, other ^{3,4}	BA	BA	BA	BA	BA	BA	<u>BA</u>	BA	BA	BA	BA	BA	BA	BA
c. Rock quarrying	N	N	N	N	N	N	<u>N</u>	N	N	N	N	N	N	N
d. Washing, sorting and/or crushing or processing of materials	N	N	N	N	N	N	<u>N</u>	N	N	N	N	N	N	N
e. Production of concrete	N	N	N	N	N	N	<u>N</u>	N	N	N	N	N	N	N
f. Production of bituminous concrete	N	N	N	N	N	N	<u>N</u>	N	N	N	N	N	N	N
3.4 Lumberyard	N	N	N	N	N	N	<u>N</u>	N	N	N	N	PB	N	N
3.5 Manufacturing and Processing:														
a. Biotechnology ¹	N	N	N	N	N	N	<u>N</u>	N	N	N	N	Y	N	Y
b. Light	N	N	N	N	N	N	<u>N</u>	PB	PB	PB	PB	S/SP	N	PB
c. Medium	N	N	N	N	N	N	<u>N</u>	N	N	N	N	P/SP/	N	N
d. Heavy	N	N	N	N	N	N	<u>N</u>	N	N	N	N	N	N	N
3.6 Printing, publishing:														
a. Under 5,000 square feet	N	N	N	N	N	N	<u>N</u>	P/SP	P/SP	P/SP	P/SP	P/SP	N ⁴	P/SP
b. Over 5,000 square feet	N	N	N	N	N	N	<u>N</u>	N	N	N	P/SP	P/SP	N	PB
3.7 Public utility	P/SP	P/SP	P/SP	P/SP	P/SP	N	<u>N</u>	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP
a. Electric power plant	N	N	N	N	N	N	<u>N</u>	N	N	N	N	BA	N	N
3.8 Research and development:														
a. Biotechnology ¹	N	N	N	N	N	N	<u>N</u>	N	N	N	N	PB ²	N	PB ²
b. Others	N	N	N	N	N	N	<u>N</u>	N	N	N	P/SP	P/SP	N	P/SP
3.9 Solid waste facility	N	N	N	N	N	N	<u>N</u>	N	N	N	N	BA	N	N
3.10 Warehouse, distribution facility	N	N	N	N	N	N	<u>N</u>	N	N	N	PB	Y	N	N ⁷
3.11 Wholesale office, salesroom:														
a. With storage	N	N	N	N	N	N	<u>N</u>	N	P/SP	N	P/SP	P/SP	N	N ⁷
b. Without storage	N	N	N	N	N	N	<u>N</u>	P/SP	P/SP	P/SP	P/SP	Y	N ⁷	N ⁷
3.12 Conference center	N	N	N	N	N	N	<u>N</u>	N	PB	N	PB	PB	P/SP	PB

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 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	RRII RVII	SFRIII	SFRIV	GRV	NC	<u>RB</u>	CI	CII	DC	B	I	LI	O
4. Institutional														
4.1 Cemetery	Y	Y	Y	Y	N	N	<u>N</u>	N	N	N	N	N	N	N
4.2 Hospital	N	N	N	N	N	N	<u>N</u>	N	PB	N	PB	PB	N	N
a. Medical Marijuana Treatment Facility	N	N	N	N	N	N	<u>N</u>	N	N	N	N	Y ⁴	N	N
b. Medical Marijuana Testing Facility	N	N	N	N	N	N	<u>N</u>	N	N	N	N	Y ⁴	N	N
4.3 Charitable institution	N	N	N	N	PB	PB	<u>N</u>	Y	Y	PB	N	N	N	N
4.4 Correctional facility	N	N	N	N	N	N	<u>N</u>	N	N	N	N	BA	N	N
4.5 Library, museum, art gallery	N	Y	Y	Y	Y	N	<u>N</u>	Y	Y	Y	Y	N	N	N
4.6 Lodge, social nonprofit ¹	N	N	N	N	N	N	<u>N</u>	Y	Y	Y	Y	N	N	N
4.7 Public use	Y	Y	Y	Y	Y	Y	<u>Y</u>	Y	Y	Y	Y	N ³	N	N ³
a. Municipal public safety	Y	Y	Y	Y	Y	Y	<u>Y</u>	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	<u>Y</u>	Y	Y	Y	Y	Y	Y	Y
b. Dormitories	N	Y	Y	Y	Y	Y	<u>Y</u>	Y	Y	Y	Y	N	N	N

NOTES:

1. But not including any use, the principal activity of which is one customarily conducted as a business.
2. See MGL c. 40A, § 3.
3. Except for municipal public safety.
4. Medical Marijuana Treatment Facilities and Testing Facilities are permitted in portions of the Industrial Zone which are in the Medical 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													
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	<u>RB</u>	CI	CII	DC	B	I	LI	O
5. Recreational														
5.1 Indoor commercial amusement, recreation, assembly ¹														
a. General	N	PB	PB	PB	PB	PB	<u>N</u>	Y	Y	PB	Y	N	N	N
b. Concentrated	N	N	N	N	N	N	<u>N</u>	PB	Y	PB	Y	N	N	N
5.2 Golf course and/or club, public or private	PB	PB	N	N	N	N	<u>N</u>	N	N	N	N	N	N	N
5.3 Movie theater	N	N	N	N	N	N	<u>N</u>	Y	PB	Y	PB	N	N	N
5.4 Outdoor commercial amusement, recreation														
a. Light	Y	Y	Y	Y	Y	Y	<u>N</u>	Y	Y	Y	Y	Y	N	N
b. General	PB	PB	PB	PB	N	N	<u>N</u>	Y	Y	N	Y	Y	N	N
c. Concentrated	N	N	N	N	N	N	<u>N</u>	N	PB	N	PB	N	N	N
5.5 Equestrian center	BA	BA	N	N	N	N	<u>N</u>	N	N	N	N	N	N	N
5.6 Public recreation	Y	Y	Y	Y	Y	N	<u>N</u>	Y	Y	Y	Y	N	N	N
5.7 Automatic amusement device arcades	N	N	N	N	N	N	<u>N</u>	N	Y	N	N	N	N	N
5.8 Health club	N	N	N	N	N	N	<u>N</u>	Y	Y	Y	Y	Y	N ²	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
6. Residential														
6.1 Multifamily or apartment	N ¹	N	N	PB ³	PB ⁴	<u>N</u>	PB ³	N	Y ^{5,6}	N	N	N	N	PB ^{7,8}
6.2 Single-family	Y	Y	Y	Y	Y	<u>Y</u>	Y	Y	N	N	N	N	N	N
6.3 Two-family														
a. New	N	N	Y ²	Y ²	Y ²	<u>N</u>	Y	Y	N	N	N	N	N	N
b. By conversion	BA	BA	BA	Y	Y	<u>N</u>	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 = 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 Accessory Uses	District													
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O
A1 Boarding	N	Y	Y	Y	Y	Y	<u>N</u>	Y	Y	N	N	N	N	N
A2 Contractor's yard	N	N	N	N	N	N	<u>N</u>	N	N	N	Y	Y	N	N
a. Landscape materials storage and distribution	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y³</u>	<u>Y³</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>N</u>
A3 Home occupation (See § 185-39B.)	Y	Y	Y	Y	Y	Y	<u>Y</u>	Y	Y	Y	Y	N	N	N
A4 Manufacture, assembly, packing of goods sold on premises	N	N	N	N	N	Y ¹	<u>N</u>	Y ¹	Y ¹	Y ¹	Y	Y	N	Y ¹
A5 Off-street parking (See § 185-39C.)	Y	Y	Y	Y	Y	Y	<u>Y</u>	Y	Y	Y	Y	Y	Y	Y
A6 Professional office, studio (See § 185-39A.)	Y	Y	Y	Y	Y	Y	<u>Y</u>	Y	Y	Y	Y	N	Y	Y
A7 Restaurant, bar	N	N	N	N	N	N	<u>N</u>	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	<u>N</u>	Y	Y	Y	Y	Y ²	N	Y ²
A9 Scientific use in compliance with § 185-37	BA	BA	BA	BA	BA	BA	<u>N</u>	BA	BA	BA	Y	Y	Y	Y
A10 Signs (See § 185-20.)	Y	Y	Y	Y	Y	Y	<u>Y</u>	Y	Y	Y	Y	Y	Y	Y
A11 Single-family dwelling for personnel required for safe operation	Y	Y	Y	Y	Y	Y	<u>N</u>	Y	Y	N	Y	Y	Y	Y
A12 Other customary accessory uses	Y	Y	Y	Y	Y	Y	<u>N</u>	Y	Y	Y	Y	Y	Y	Y
A13 Other retail sales, services	N	N	N	N	N	Y	<u>N⁴</u>	Y	Y	Y	Y	Y	Y	Y
A13.1 Animal grooming	BA	BA	BA	BA	BA	BA	<u>N</u>	Y	BA	Y	BA	BA	BA	BA
A14 Operation of not more than 5 automatic amusement devices	N	N	N	N	N	N	<u>N</u>	N	Y	Y	Y	Y	N	N
A15 Warehouse/distribution facility	N	N	N	N	N	N	<u>N</u>	N	Y	N	Y	Y	N	Y
A16 Wholesale office, salesroom														
a. With storage	N	N	N	N	N	N	<u>N</u>	Y	Y	Y	Y	Y	N	Y
b. Without storage	N	N	N	N	N	N	<u>N</u>	Y	Y	Y	Y	Y	Y ³	Y
A17 Catering	N	N	PB	PB	PB	PB	<u>N</u>	Y	Y	Y	Y	Y	Y	Y
A18 Function hall	N	N	PB	PB	PB	PB	<u>N</u>	Y	Y	Y	Y	Y	Y	Y

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: _____, 2016

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

**Teresa Burr
Town Clerk**

ABSTAIN _____

ABSENT _____

Judith Pond Pfeffer, Clerk

Sponsor: *Administration*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 16-771
RURAL BUSINESS 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	25	35
Single Family Residential III	20,000	125	160	112.5	40	25	30	3	35	30	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	15	3 ⁶	40 ⁶	90	100
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 ⁸	30 ³	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 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 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.
- 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: _____, 2016

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

**Teresa Burr
Town Clerk**

ABSTAIN _____

ABSENT _____

Judith Pond Pfeffer, Clerk

Sponsor: *Administration*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 16-772
RURAL BUSINESS ZONE SIGN REGULATIONS
A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE AT
CHAPTER 185, ATTACHMENTS 10: SCHEDULE OF PERMITTED
SIGNS PER SIGN DISTRICT:**

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, Attachments 10: Schedule of Permitted Signs Per Sign District:

Attachment 10
Schedule of Permitted Signs Per Sign District

	Downtown Commercial District²	Commercial Business Corridor District	Industrial - Office Park District	Residential District
Wall Signs				
First Floor Storefront Facing Street	No more than 24 Sq.Ft. or 10% of Front Façade ¹	No more than 48 Sq.Ft. or 2 Sq.Ft. per Linear Ft of Frontage ¹	No more than 60 Sq.Ft.	No more than 15 Sq.Ft. for a business with a Special Permit or Variance No more than 10 Sq.Ft. for Home Occupation or Professional Office All others no more than 3 Sq.Ft.
First Floor Storefront Facing Street Corner	No more than 36 Sq.Ft. or 15% of 1 Façade Divided into 2 ¹	No more than 64 Sq.Ft. Divided into 2 Signs	No more than 90 Sq.Ft. Divided into 2 Signs	No more than 23 Sq.Ft. divided into 2 Signs for a business with Special Permit or All others not permitted
Upper Floors Facing Street	Not Permitted	No more than 6 Sq.Ft.	Not Permitted	Not Permitted
Freestanding Signs				
Single or Multiple Entity	No more than 40 Sq.Ft. and No More Than 14 Ft. High	No more than 60 Sq.Ft. and No More Than 20 Ft. High	No more than 60 Sq.Ft. and No More Than 25 Ft. High	No more than 20 Sq.Ft. and No more than 6 Ft. high for a business with Special Permit or Variance All Others Not Permitted
Window Signs				
First Floor Facing Street	No more than 6 Sq.Ft. or 10% of Window Surface ¹	No more than 6 Sq.Ft. or 10% of Window Surface ¹	No more than 6 Sq.Ft. or 10% of Window Surface ¹	Not Permitted
Upper Floors Facing Street	No more than 4 Sq.Ft. or 10% of Window Surface ¹	No more than 20% of Window Surface	No more than 20% of Window Surface	Not Permitted
Door Sign	No more than 2 Sq.Ft.	No more than 2 Sq.Ft.	No more than 2 Sq.Ft.	No more than 2 Sq.Ft.
Reader Boards				
Attached to Freestanding Sign	Manual with no more than 3 Lines of Text	Manual with no more than 3 Lines of Text	Manual with no more than 3 Lines of Text	Not Permitted
Awning or Canopy Signs				
First Floor	No more than 10 Sq.Ft. of Signage	No more than 10 Sq.Ft. of Signage	No more than 10 Sq.Ft. of Signage	No more than 10 Sq.Ft. of Signage
Upper Floors	Not Permitted	Not Permitted	Not Permitted	Not Permitted
Off-Site Signs				
Freestanding or Wall	Not Permitted	Not Permitted	Not Permitted	Not Permitted
Temporary Signs				
Non-Profits and Charities	Check for Availability of Town Display See §185-20.(D)	Check for Availability of Town Display See §185-20.(D)	Check for Availability of Town Display See §185-20.(D)	Check for Availability of Town Display See §185-20.(D)
All Other Temporary Signs	Permitted	Permitted	Permitted	Permitted
Public Use and Safety Signs				
All Sign Types	Permitted	Permitted	Permitted	Permitted
Political Signs				
Signs Expressing a Political Opinion	No more than 16 Sq.Ft.	No more than 16 Sq.Ft.	No more than 16 Sq.Ft.	No more than 16 Sq.Ft.
Signs Promoting a Candidate or Issue	No more than 16 Sq.Ft. Displayed for no more than 7 Days After Vote	No more than 16 Sq.Ft. Displayed for no more than 7 Days After Vote	No more than 16 Sq.Ft. Displayed for no more than 7 Days After Vote	No more than 16 Sq.Ft. Displayed for no more than 7 Days After Vote

NOTES

¹ Whichever is Smaller

² The Rural Business Zoning District has the same sign regulations as the Downtown Commercial Sign District.

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: _____, 2016

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

**Teresa Burr
Town Clerk**

ABSTAIN _____

ABSENT _____

Judith Pond Pfeffer, Clerk

SPONSOR: Administration

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 16-773
ZONING MAP CHANGES FROM RURAL RESIDENTIAL I TO RURAL
BUSINESS AN AREA ON WASHINGTON STREET
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 amendment to §185-5, Zoning Map:

By changing from Rural Residential I to Rural Business an area containing 4.749± acres, comprising of the following parcel of land as shown on the Town of Franklin's Assessor's Maps: Parcel Number 323-028-000.

The area to be rezoned is shown on the attached zoning map ("Zoning Map - Rural Residential I to Rural Business").

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: _____, 2016

VOTED:
UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

**Teresa Burr
Town Clerk**

ABSTAIN _____

ABSENT _____

Judith Pond Pfeffer, Clerk

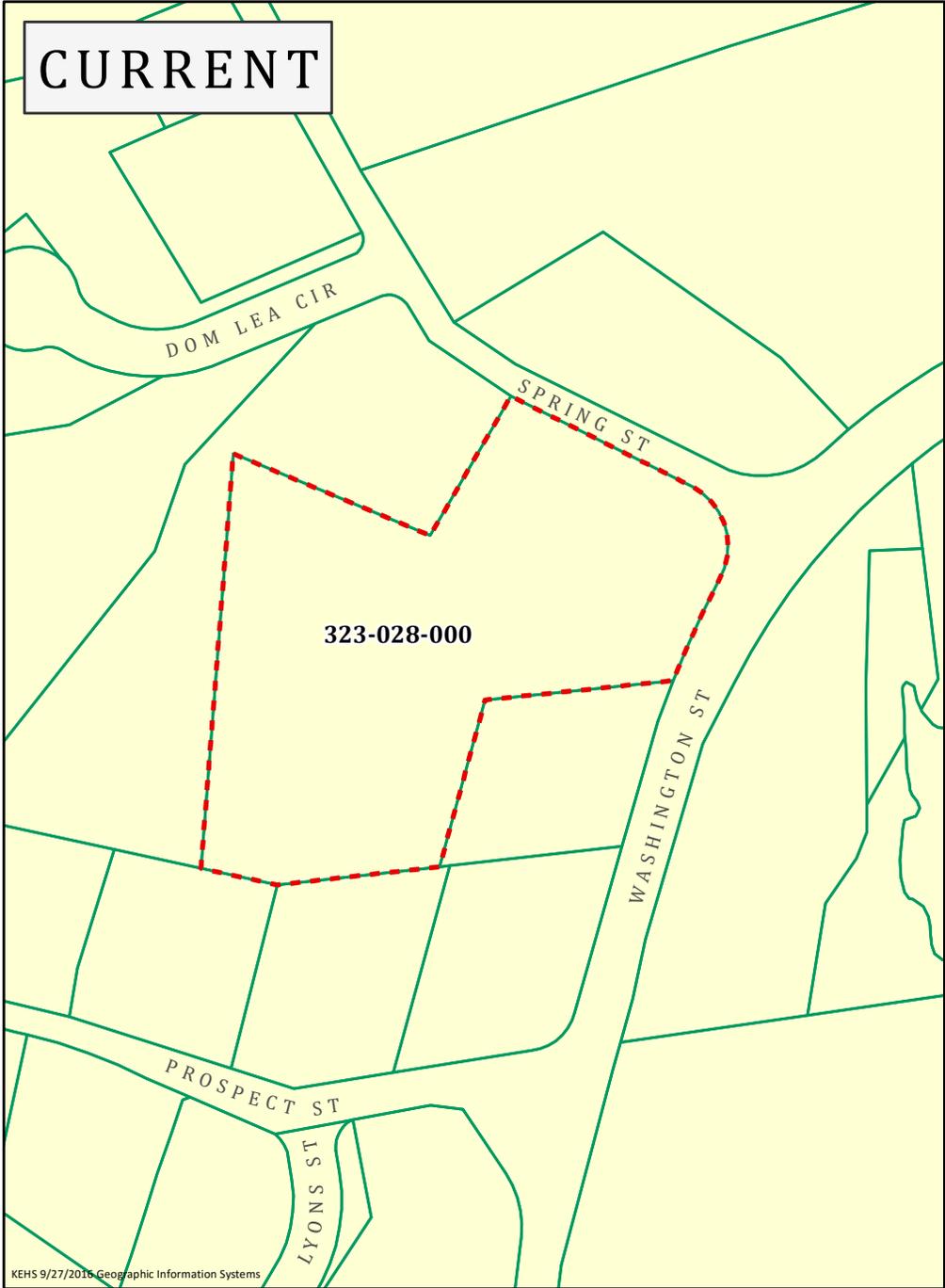
Proposed Zoning Map Changes

Rural Residential I to Rural Business

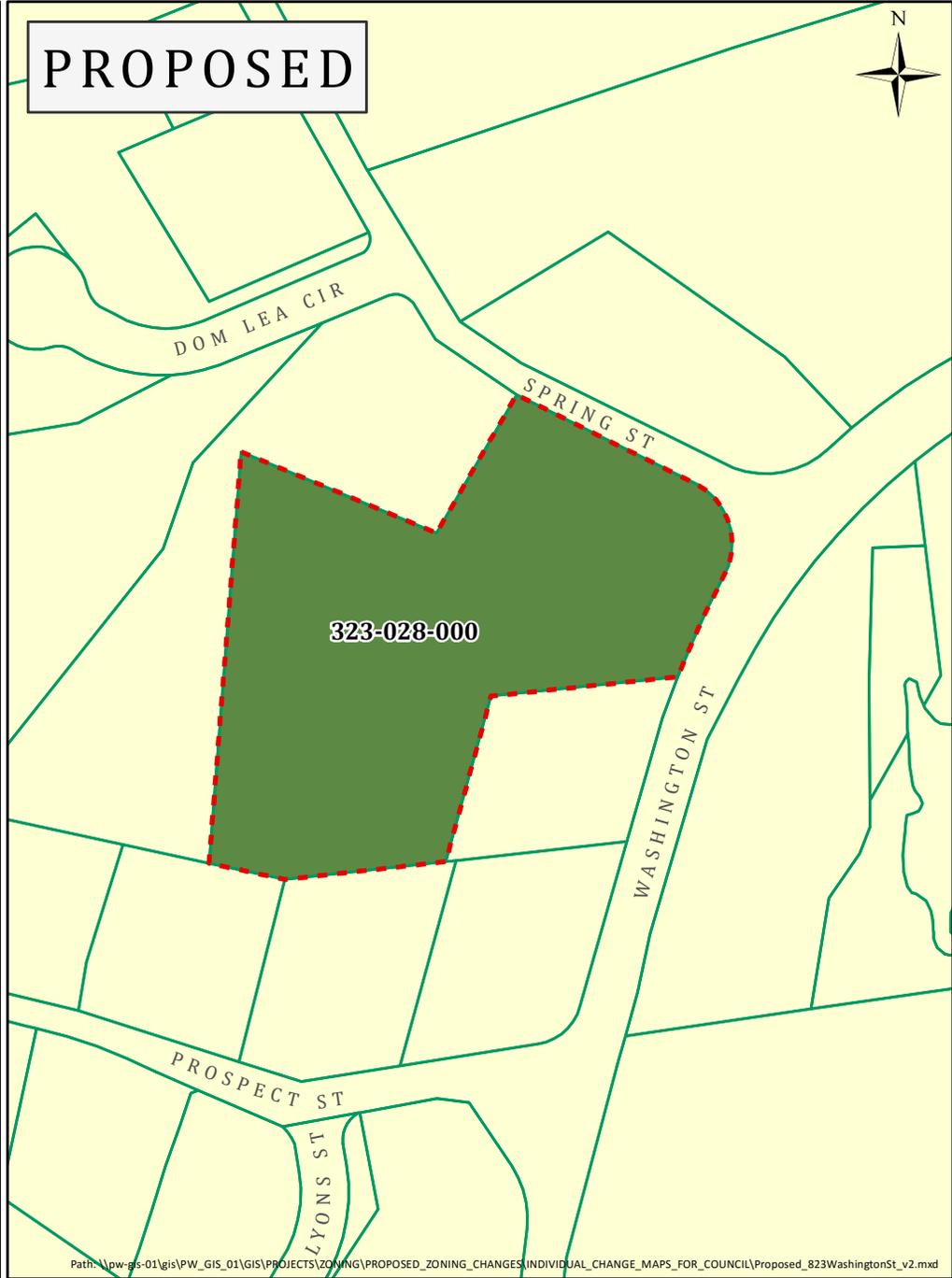
-  Rural Business
-  Area of Proposed Change
-  Rural Residential I
-  Parcel Line

0 125 250 500 Feet

CURRENT



PROPOSED



SPONSOR: *Hunchard*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 16-775
ZONING MAP CHANGES FROM RURAL RESIDENTIAL I TO
RESIDENTIAL VII AN AREA ON SUMMER STREET
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 amendment to §185-5, Zoning Map:

By changing from Rural Residential I to Residential VII an area containing 10.810± acres, comprising of the following parcel of land as shown on the Town of Franklin's Assessor's Maps: Parcel Number 302-008-000.

The area to be rezoned is shown on the attached zoning map (“Zoning Map - Rural Residential I to Residential VII”).

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: _____, 2016

VOTED:
UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

**Teresa Burr
Town Clerk**

ABSTAIN _____

ABSENT _____

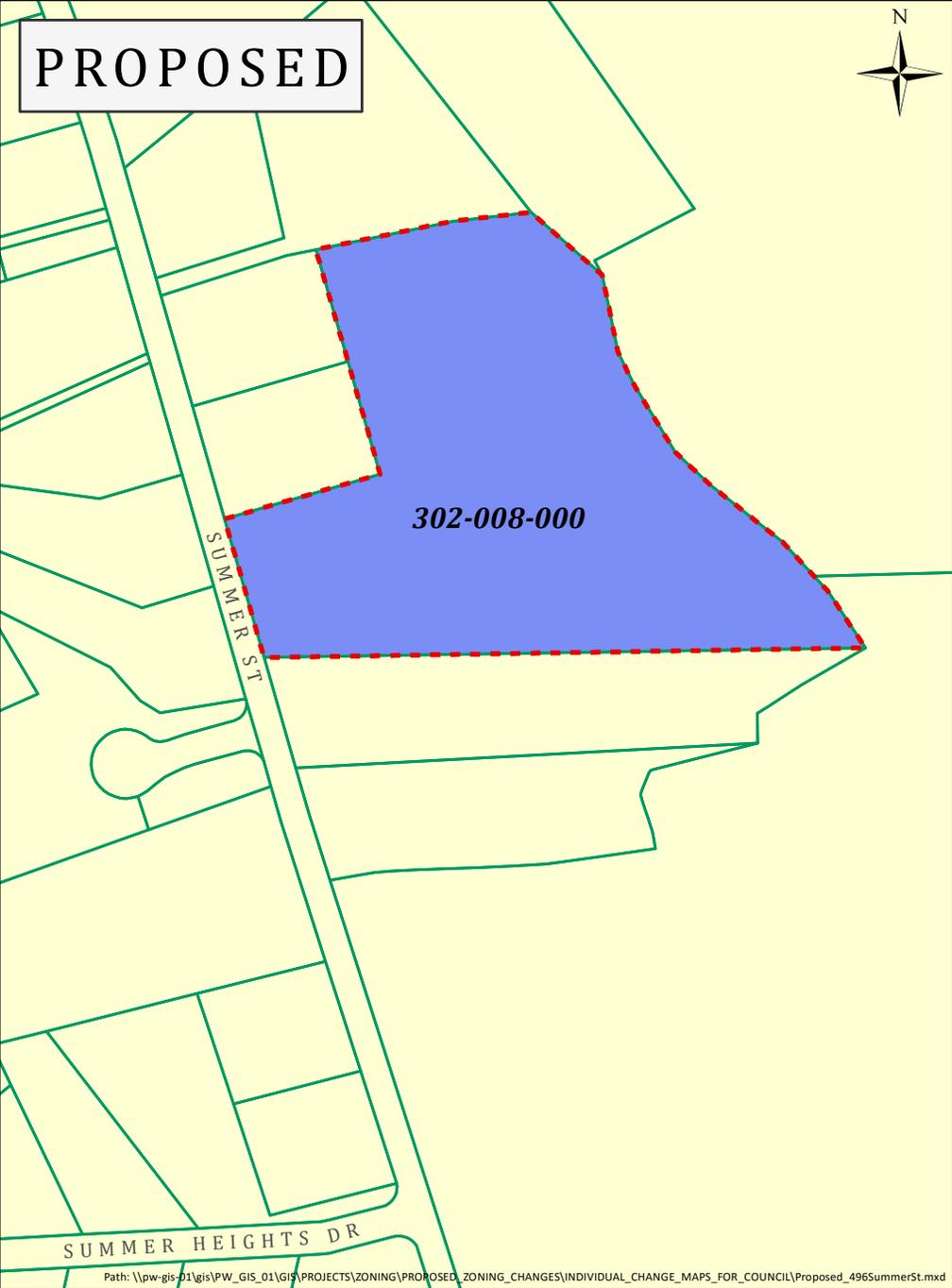
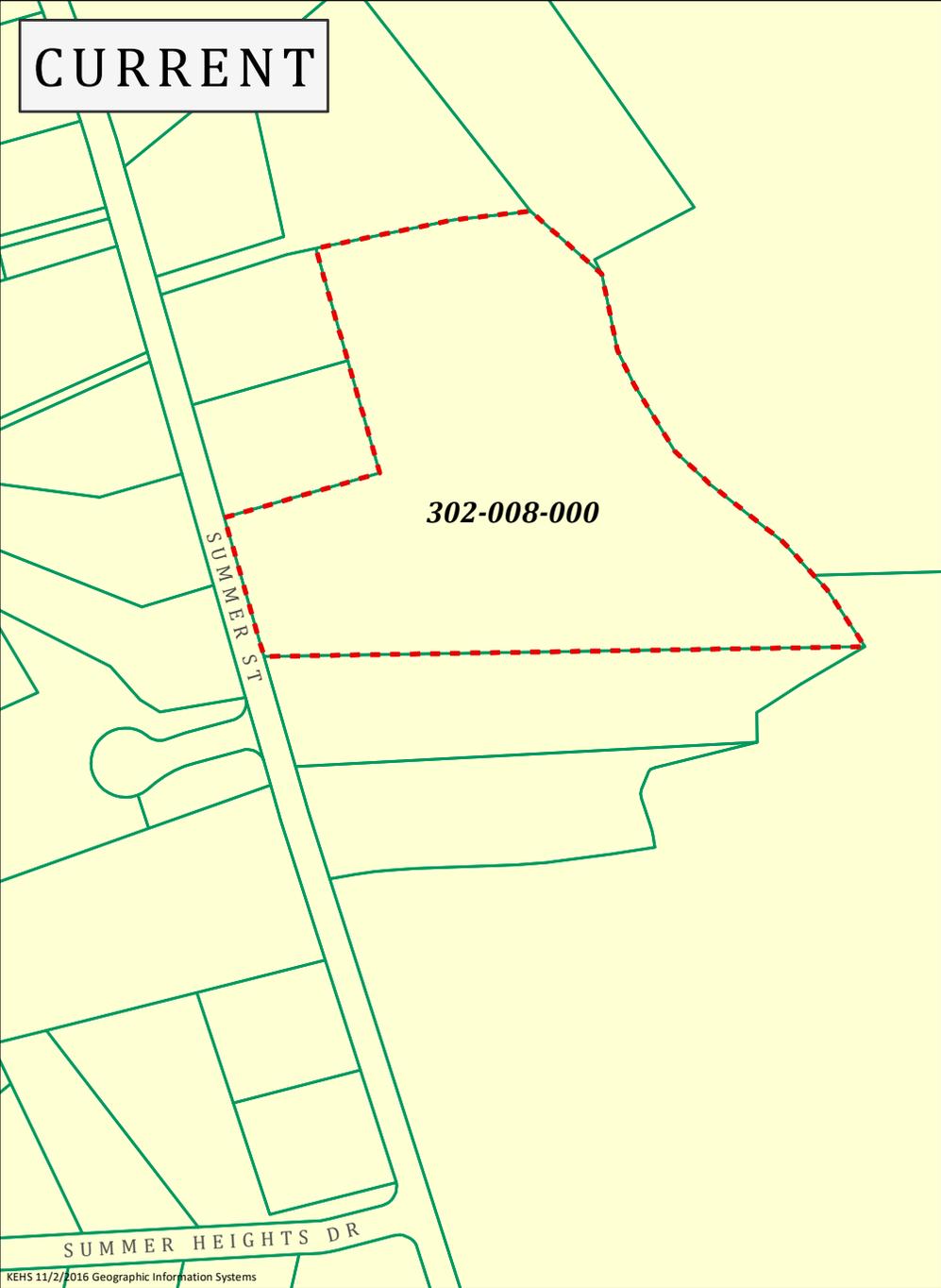
Judith Pond Pfeffer, Clerk

Proposed Zoning Map Changes

Rural Residential I to Residential VII

-  Residential VII
-  Rural Residential I
-  Area of Proposed Change
-  Parcel Line

0 200 400 800 Feet



Office of the Town Administrator



MEMORANDUM

Date: September 29, 2016

To: Town Council

From: Jeffrey Nutting, Town Administrator 

Subject: Citizens request to have his land rezoned from Residential One (R1 to Residential Seven (R7))

We have received a request from the owner of 10 acres of land at 496 Summer Street to have the Council consider changing the zoning from R 1 which allows one house for every 40,000 square feet of land and has 200 feet of Frontage to R 7 which allows 4 units of housing for every 40,000 square foot of land or four times the density of R1. Any development of the property would require a water and sewer extension. The sewer is nearby on Summer Street and the water line is several hundred feet down the road. (See map)

R7 was created in 2013 to allow for the "Cooks Farm Development" that is currently under construction on Route 140 at and near the Franklin County Club.

Zoning is a policy matter for the Town Council. You should note that I have also received a phone call from another developer indicating he was interested in having a parcel of land rezoned to R7 as well. Please find attached my memo from a few weeks ago, a zoning map, a water/sewer map, a proposed plan of the development, and general information about R7. I am happy to answer any questions you may have.

OFFICE OF THE TOWN ADMINISTRATOR



MEMORANDUM

Date: September 7, 2016
To: Town Council
From: Jeffrey D. Nutting, Town Administrator 
Re: Proposed Agenda Item about Zoning Game Plan

Lately, I have been approached by landowners/developers (L/D) seeking my opinion on whether the Town will provide a zoning change so they can develop their land into Condos, Apartments and Zone 7 (which allows 4 times the density of Rural Residential zoning). All the requests require a zoning change for the L/D. While a project may offer some benefit, it is the Town Council that needs to decide on zoning and the pace of development you want for Franklin.

The Town Council adopted an updated Master Plan in 2013 as a road map to continued improvements for the citizens of Franklin. The plan covered a wide range of topics many which the Council have embraced to date, most notably zoning changes, sidewalk construction, as well as open space/recreation issues.

Currently, the economy seems to be in good shape and the demand for housing in Franklin is higher than it has been in a long time. You will recall the tremendous growth of the 1990's and the various steps Town Council took to reign in the growth. They rezoned residential land to industrial land, adopted over-55 housing, bought open space when available, adopt the water and sewer extension bylaws, a growth control bylaw, the so-called circle bylaw, etc. Further, the Council voted for an impact fee on new homes that was rejected by the Court. All the efforts to control development happened after the spike in housing production of the mid-1990's and the fast growth created problems that we are still dealing with today. Housing starts continued in the early 2000's at a slower pace and then the recession of 2008 reduced development further.

In review, dwelling units created in the last five years by the Building Commissioner reports the following dwelling units:

- 2011 - 20 units
- 2012 - 57 units
- 2013 - 48 units
- 2014 - 47 units
- 2015 - 38 units

This does not count the two developments on King Street and East Central Street with a total of over 250 units for elderly citizens.

Since 2012, we are averaging about 48 units a year. This seems to be a reasonable and steady growth. Franklin is now at a crossroad again concerning proposed dwelling units. Currently, there are over **800** units in various stages of development.

Under Construction (Various Stages)

Weston Woods - 40B Apartments	280
Lorriane Metcalf – Subdivision	4
Cooks Farm - Condos	55
Lincoln Street – Subdivision	9
County Side Estates - Subdivision	8
Franklin Heights - Condos	7
Winter Gardens- Subdivison	5

Approved

Uncas Ave - Subdivision	18
Upper Union Street - Subdivision	7
East Central Street - Apts.	7
Chestnut Street - Over 55	10

Before Planning Board

Maple Street – Subdivision	10
----------------------------	----

In the Works

Madeline Village 40B	30-40	Decision by ZBA by end of the year
Pond Street Condos	96	Expects to file prior to end of year
Apartments at the end of Dean Ave	250	Expects to file prior to the end of year
Condos on West Central Street	30 ??	Recently rezoned
Others units that are currently approved	20 +/-	or under construction
Total possible Dwelling Units	800 +/-	

While not all of these units will be constructed at once, we could see well over 600 units in the next 3 years. Further, we do not know how many other "as of right" dwelling units may be proposed in the next couple of years.

The housing development speaks well to Franklin's quality of life and all the improvements that have happen over the last 15 years under the leadership of the various Town Councils that make Franklin a desirable community to live.

Does the Town Council want to maintain the zoning plan adopted in the Master Plan or make changes to the plan? Providing a clear message to L/D's makes a lot more sense than dealing with zoning on a case-by-case basis. It is hard to say yes to one person and no to the next if you do not have an overall game plan.

I suggest this topic be put on a Council agenda or workshop in the near future. I am happy to answer any questions.

JDN:ce

cc: Bryan Taberner, Director of Community Planning
Planning Board

C. Establishment of Medical Marijuana Use Overlay Districts and relationship to underlying districts.

1. The Medical Marijuana Use Districts are established as districts which overlay the underlying districts, so that any parcel of land underlying in a Medical Marijuana Use District shall also lie in one or more of the other zoning districts in which it was previously classified, as provided for in this Zoning Bylaw.

D. Permitted uses.

1. Uses allowed by right. The following uses are allowed as of right within Medical Marijuana Districts:
 - (a) All uses permitted as of right in the underlying base zoning district.
 - (b) Medical marijuana treatment facility.
 - (c) Medical marijuana testing facility.

E. Location.

1. The Medical Marijuana Use Overlay District consists of those parcels of land zoned industrial that are located south or west of the sideline of Interstate 495; and which are not within 200 feet of a residential zoning district, school, library, church, child-care facility, park, and playground. The 200 feet shall be measured from all property lines of the proposed use; state forest land shall not be considered when determining the proximity of a parcel to a residential zoning district.
2. This district is delineated on the map entitled "Medical Marijuana Use Overlay District" and created under § 185-4, Districts enumerated.

F. Severability. If any of this section or portion of this section is ruled invalid, such ruling shall not affect the validity of the remainder of the section.

 § 185-50. Residential VII Zoning District. [Added 10-16-2013 by Bylaw Amendment 13-722]

1. Purpose. To allow for planned residential developments.

A. Uses allowed:

- (1) Single-family dwelling units by right;
- (2) Multiple, single-family dwelling units by special permit from the Planning Board; and
- (3) All other uses as permitted in Residential VII as shown in Chapter 185, Attachment 2, Town of Franklin Use Regulations Schedule.

2. Special permit, for multiple, single-family.

A. General requirements.

- (1) Special permits. Multiple, single-family dwelling units may be authorized by special permit from the Planning Board in the Residential VII Zoning District, but only in accordance with the requirements as set out in § 185-45, Administration and enforcement, and if in accordance with the following requirements of this section, and as long as all other applicable requirements of Chapter 185 are met.
- (2) Site plan review. The requirements of § 185-31, Site plan review, shall be complied with at the time of application for a special permit.

B. Other requirements.

- (1) Mitigation. Design and construction shall reduce, to the extent reasonably possible, the following:
 - (a) The volume of cut and fill.
 - (b) The number of trees removed.
 - (c) The extent of waterways altered or relocated.
 - (d) The visual prominence of man-made elements not necessary for safety or orientation.
 - (e) The removal of existing stone walls.
 - (f) The visibility of building sites from existing streets.
 - (g) The alteration of groundwater or surface water elevations.
 - (h) The disturbances of important wildlife habitats, outstanding botanical features and scenic or historic environs.
 - (i) The soil loss or instability during and after construction.
- (2) Enhancement. Design and construction shall increase, to the extent reasonably possible, the following:
 - (a) Visual prominence of natural features of the landscape.
 - (b) Legal and physical protection of views from the public ways.
 - (c) Use of curvilinear street patterns.

C. Building design and placement.

- (1) Minimum lot size. Multiple, single-family developments shall be constructed on a parcel of land totaling at least five acres of upland.
- (2) Density. The maximum number of dwelling units permitted shall not exceed four units per acre of upland.

- (3) There shall be at least 20 feet between buildings, or space between buildings may be reduced by 50% if all adjacent buildings are fire-sprinkled. In all other respects, the requirements of the Schedule of Lot, Area, Frontage, Yard and Height Requirements must be met.
- (4) If no public water supply is available, dwelling units must be fire-sprinkled.

D. Roadways.

- (1) Roadways construction. All the work and the materials used shall conform to the requirements of the MassDOT's "Standard Specifications for Highways and Bridges," including the most recent Supplemental Specifications.
 - (a) All roadways shall be designed so that, in the opinion of the Planning Board, they will provide safe vehicular and pedestrian travel.
 - (b) Width requirements.
 - i Roadways and alleys shall be 24 feet in width, of which a minimum of 20 feet shall be paved; the balance shall consist of a continuous shoulder with no obstructions, constructed, in the opinion of the Fire Chief, to be capable of supporting and providing supplemental access for heavy emergency vehicles.
 - ii Alleys may be reduced to 18 feet in width provided that the following requirements are met:
 - a. There is a primary roadway constructed consistent with the requirements of this Subsection 2D, Roadways;
 - b. The alley is one-way; and
 - c. There is no parking allowed along the alley.
- (2) Dead-end streets.
 - (a) Dead-end streets shall be no longer than 600 feet measured from the sideline of the closest, connecting street.
 - (b) Dead-end streets shall be provided, if a closed end, with a turnaround having a pavement radius of 45 feet.
 - (c) Approval. Approval of dead-end streets may be contingent upon provision of easements and necessary facilities to allow continuity of utility and drainage systems. Water mains shall normally be looped.
- (3) Other roadway requirements.
 - (a) Streets. Streets indicated on the plan that are not fully constructed to provide through traffic shall provide for paved temporary turnarounds suitable for snowplowing purposes; to be approved by the Planning Board, before any houses on such streets shall be occupied.

- (4) Ownership and maintenance.
 - (a) Ownership and maintenance of all roadways and related infrastructure shall remain private.
 - (b) A private road covenant to ensure compliance with Subsection 2D(4)(a) shall be approved by the Town Council prior to endorsement of plans by the Planning Board.

E. Other improvements.

- (1) Sidewalks. Location. Sidewalks are required on one side of the road to adequately service pedestrian traffic.
- (2) Sidewalks shall be at least five feet wide and shall extend to the paved roadway at intersections to provide convenient walk-off crossings. Sidewalks shall be ramped for handicapped to access the gutter with no curb. Handicap ramps shall be shown on the plan and shall be constructed in accordance with the latest Rules and Regulations of the Architectural Access Board.

F. Utilities.

- (1) Wiring. Electrical, telephone and television community cable conduits shall be placed underground. Size and materials of these conduits and lateral spacing between conduits shall meet the requirements of the respective utility company. The utilities shall not be located under either paved areas of roadways or the sidewalks.
 - (a) Ownership and maintenance of utilities shall remain private.
- (2) Water and sewer. Water and sewer services shall be constructed in compliance with Department of Public Works Standards.
 - (a) The water and sewer system shall remain private; however, DPW personnel shall have access as necessary to maintain the public systems.
 - (b) The Town of Franklin, its agents and servants shall have the right but not the obligation at all times to enter an approved development for the purposes of inspecting, maintaining and/or making emergency repairs including, but not limited to, private water, private sewer and/or private drainage systems. In such event, the private property owners shall be liable, jointly and severally, for the payment of all expenses incurred by the Town in connection therewith, and unpaid expenses shall constitute a lien on their property.

G. Homeowners' association.

- (1) A homeowners' association shall be established to provide maintenance of all roadways, related infrastructure and utilities.

- (2) Legal documents creating such homeowners' association shall be submitted to the Town for review and shall be determined to be acceptable prior to plans being endorsed by the Planning Board.

ZONING

185 Attachment 9

Town of Franklin

SCHEDULE OF LOT, AREA, FRONTAGE, YARD AND HEIGHT REQUIREMENTS

[Amended 5-20-1998 by Bylaw Amendment 98-357; 5-6-1998 by Bylaw Amendment 98-361; 5-3-2000 by Bylaw Amendment 00-430; 7-11-2001 by Bylaw Amendment 01-468; 12-5-2001 by Bylaw Amendment 01-486; 10-2-2002 by Bylaw Amendment 02-507; 6-11-2003 by Bylaw Amendment 03-511; 3-1-2006 by Bylaw Amendment 05-575; 7-13-2011 by Bylaw Amendment 11-654; 6-19-2013 by Bylaw Amendment 13-717; 10-16-2013 by Bylaw Amendment 13-719; 1-22-2014 by Bylaw Amendment 13-726]

District	Area (square feet)	Minimum Lot Dimensions			Minimum Yard Dimensions			Maximum Height of Building		Maximum Impervious Coverage of Existing Upland	
		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
Rural Residential VI	40,000	200	200	180 ⁴	40	40	40	3	35	20	25
Residential VII ¹	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
Downtown Commercial	5,000	50	50	45	5 ¹⁰	0 ³	15	3 ⁸	40 ⁹	80	90
Commercial I ¹	5,000	50	50	45	20 ¹	0 ²	15	3 ⁶	40 ⁶	90	100
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 ³	30 ³	3 ⁶	—	70	80
Limited Industrial	40,000	175	200	157.5	40	30 ³	30 ³	3 ⁶	40 ⁶	70	80
Office	40,000	100	100	90	20	30 ³	30 ³	3 ⁶	40 ⁶	70	80

Current →

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 a right-of-way which is 75 feet or more.

NOTES:

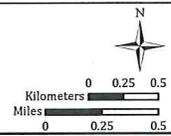
- 1 But no new structure shall be required to provide a deeper yard than that existing on that parcel upon adoption of this amendment.
- 2 Increase to 20 feet when abutting a residential district.
- 3 See definition of "upland" in § 185-3, § 185-36, Impervious surfaces, and § 185-40, Water Resource District.

FRANKLIN CODE

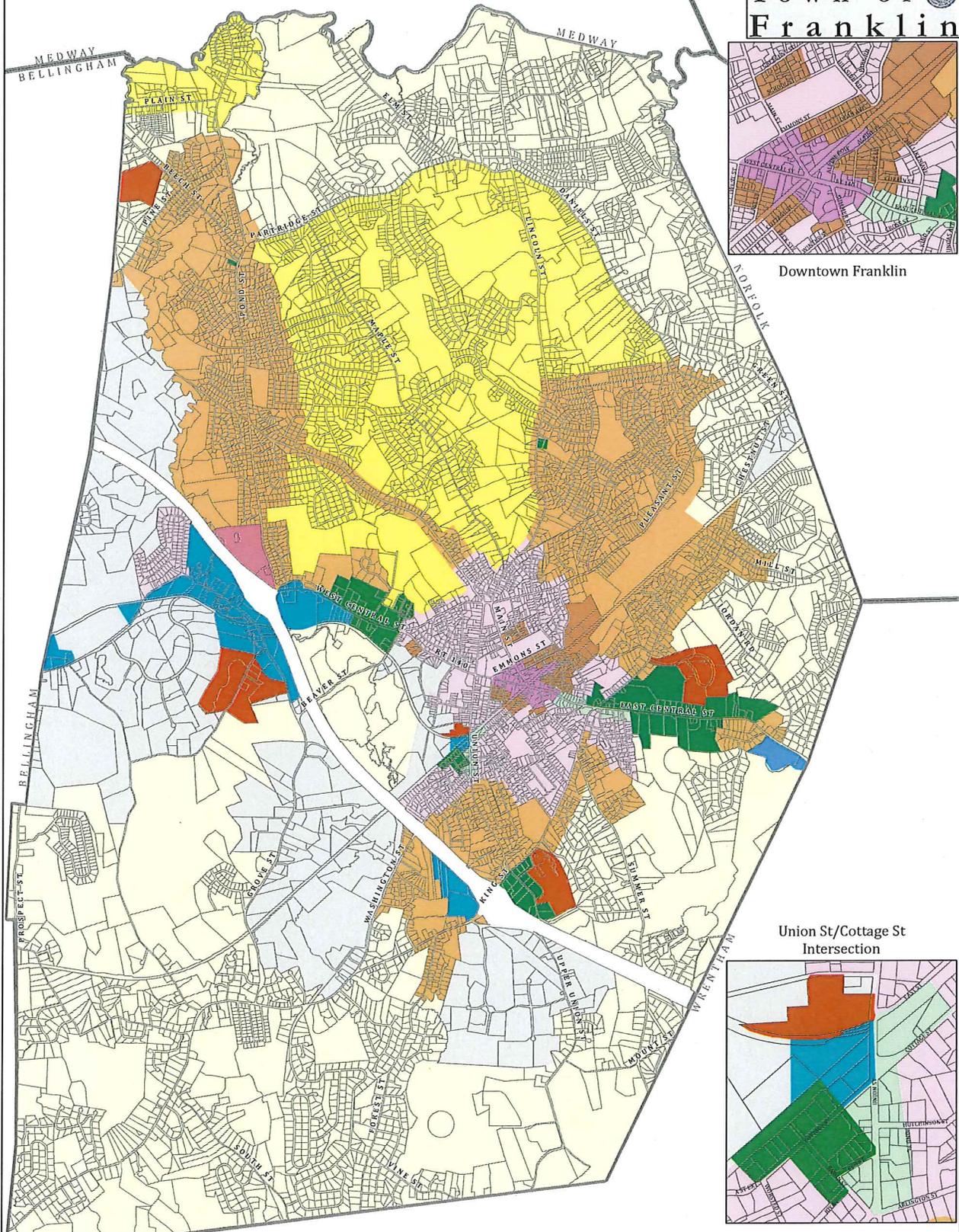
- 4 Within open space developments (see § 185-43), the lot width must be met for individual lots and shall be no less than 1/2 those required within the underlying district.
- 5 Increase by the common building height of the structure, when abutting a residential use.
- 6 Up to five stories and/or 60 feet, whichever is greater, may be permitted by a special permit from the Planning Board.
- 7 Permitted residential uses must observe requirements of the 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 four 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.
- 10 Minimum five-foot setback required on first floor, street level; upper floors can overhang required first floor setback.
- 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.

ZONING DISTRICTS

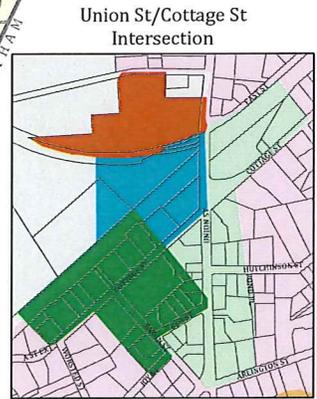
- Business
- Commercial I
- Commercial II
- Downtown Commercial District
- General Residential V
- Industrial
- Office
- Residential VI
- Residential VII
- Rural Residential I
- Rural Residential II
- Single-Family III
- Single-Family IV



Town of Franklin



Downtown Franklin



Union St/Cottage St Intersection

GIS Zoning Map Approved 11-01-2000; Zoning Bylaw 00-446

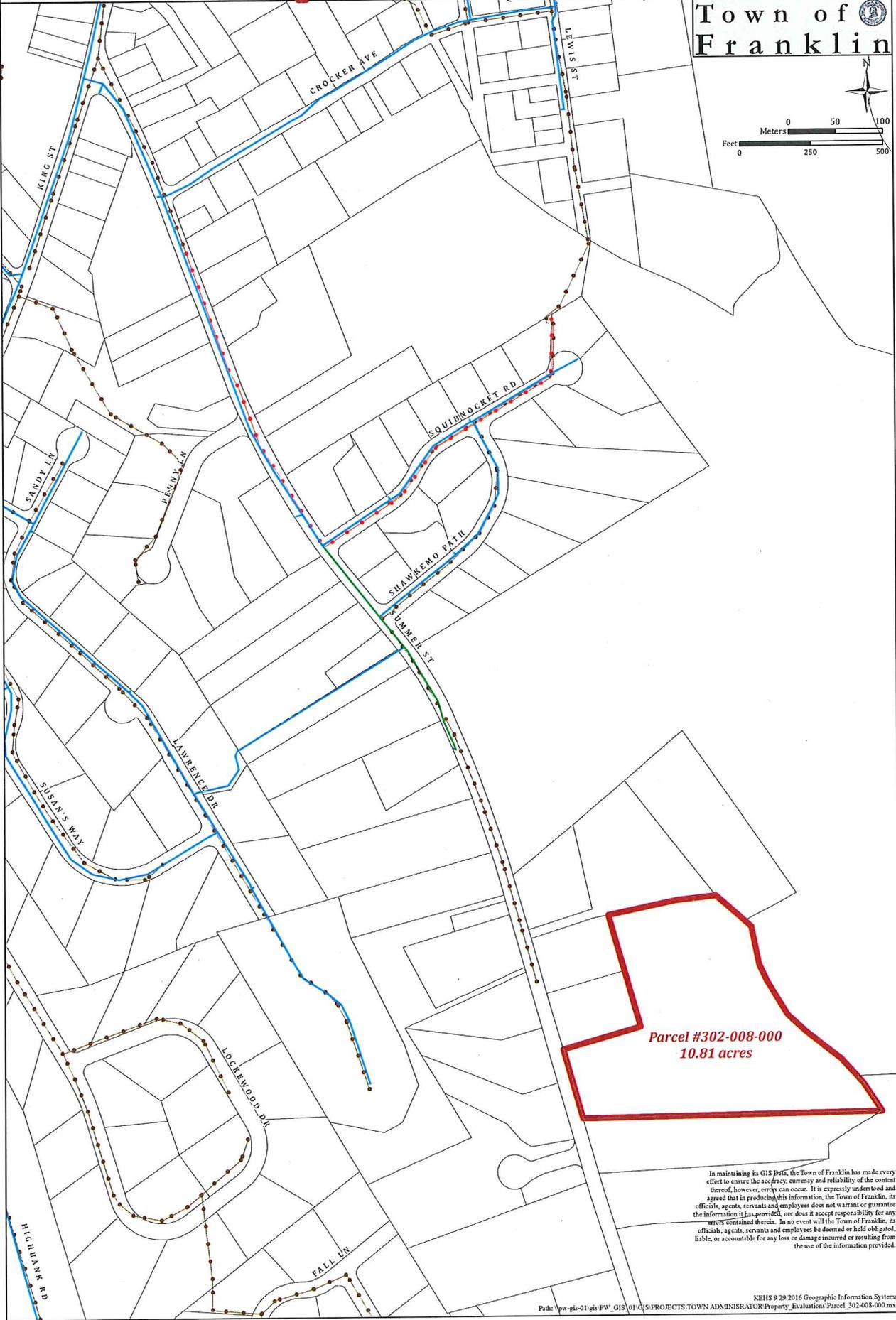
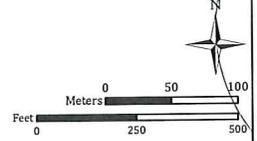
-Amendment 99-414: 07-21-1999	-Amendment 04-539: 06-02-2004	-Amendment 13-721: 10-16-2013
-Amendment 00-444: 12-06-2000	-Amendment 05-558: 03-23-2005	-Amendment 14-728-R: 06-04-2014
-Amendment 00-454: 04-18-2001	-Amendment 05-559: 03-02-2005	-Amendment 14-733: 06-04-2014
-Amendment 01-469: 07-11-2001	-Amendment 07-607: 09-05-2007	-Amendment 14-734: 06-04-2014
-Amendment 01-472: 08-01-2001	-Amendment 07-608: 09-05-2007	-Amendment 15-750: 10-09-2015
-Amendment 01-474: 08-15-2001	-Amendment 07-609: 09-05-2007	-Amendment 16-753: 07-13-2016
-Amendment 01-475: 08-15-2001	-Amendment 07-610: 09-05-2007	
-Amendment 01-479: 12-05-2001	-Amendment 08-625: 11-05-2008	
-Amendment 02-492: 02-20-2002	-Amendment 11-652: 07-13-2011	
-Amendment 02-500: 07-17-2002	-Amendment 12-666: 01-04-2012	
-Amendment 02-506: 11-20-2002	-Amendment 12-689: 10-03-2012	
-Amendment 03-520: 08-06-2003	-Amendment 13-705: 05-15-2013	

Attested to date 6.3.2016
 Signature _____
 Teresa M. Burr, Town Clerk

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 will 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.

-  Water Pipe (CLDI)  Sewer Pipe (Gravity)
-  Water Pipe (AC)  Parcel Line
-  Sewer Pipe (Pressure)  Parcel of Interest (302-008-000)

Town of Franklin



In maintaining its GIS PMS, 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 will 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.

LAW OFFICES
CORNETTA, FICCO & SIMMLER, P.C.
ATTORNEYS AT LAW
4 WEST STREET
FRANKLIN, MASSACHUSETTS 02038

RICHARD R. CORNETTA, JR.

VOICE (508) 528-5300
FAX (508) 528-5555

October 12, 2016

Mr. Matthew Kelly, Chairman
ATTN: Jeffery D. Nutting
Franklin Town Council
Town of Franklin
355 East Central Street
Franklin, MA 02038
Via email: jnutting@franklin.ma.us

Re: Proposed Zoning Map Amendment
496 Summer Street, Franklin, Massachusetts

Dear Mr. Chairman:

Please be advised that this correspondence has been sent on behalf of Bruce J. Hunchard and Gwynne A. Hunchard, (hereinafter collectively referred to as the "Hunchard"), the record fee owner of the real property located at 496 Summer Street, Franklin, Massachusetts, shown on the Franklin Assessor's Map 302, Parcel 008.

Pursuant to Massachusetts General Law, Chapter 40A, §5, Hunchard petitions the Franklin Town Council to change the zoning district designation of the above-entitled real property from Rural Residential I (RRI) to Single Family Residential VII (SFRVII) through an amendment to the Franklin Zoning Map as set forth in the Franklin Town Code, Chapter 185, §5.

In support of this petition, attached please find the Memorandum in Support of Zoning Bylaw Amendment; including the Certificate of Ownership of Bruce J. Hunchard and Gwynne A. Hunchard; Sketch Plan of Locus; and the conceptual illustration plans for the site overview, building elevations, streetscape views and interior floor plans prepared by Grandis Homes, LLC.

On behalf of Hunchard, I would respectfully request that this matter be placed on the next available agenda of the Council for consideration.

Very truly yours,

Richard R. Cornetta, Jr.

Richard R. Cornetta, Jr.

COMMONWEALTH OF MASSACHUSETTS
TOWN OF FRANKLIN
FRANKLIN TOWN COUNCIL

NORFOLK, ss.

Owner Petition: **Bruce J. Hunchard and Gwynne A. Hunchard**

**MEMORANDUM IN SUPPORT OF ZONING BY-LAW TO AMEND
THE FRANKLIN TOWN CODE AT CHAPTER 185, § 5**

LOCUS HISTORY

1. **Relevant District.** The subject real property is located wholly within the Rural Residential I (RRI) zoning district.
2. **Location.** The subject real property consists of a parcel of land totaling ±10.8 acres (Franklin Assessor Map 302-008-000) located along the easterly side of Summer Street in Franklin; and is bounded to the east by open space land owned by the town of Franklin, to the south by residential property, to the west by Summer Street, to the north by residential property (said subject property is referred to herein as the “Locus”).
3. **Current Use.** The Locus is owned by Bruce J. Hunchard and Gwynne A. Hunchard, and has served as the Hunchard family’s personal single family residence for over thirty years. The Locus contains a single family colonial style residence along with a detached garage, with the remainder of the acreage being wooded.

PRESENT APPLICANT/APPLICATION

4. **Applicant/Owner/Developer.** The present applicant/owner is Bruce J. Hunchard and Gwynne A. Hunchard. A certificate of ownership signed by the applicant/owner has been attached along herewith. The developer of the prospective multi-family planned residential development is Grandis Homes, LLC, a limited liability company duly organized under the laws of the Commonwealth of Massachusetts with a principal place of business at 135 Main Street, Suite 5, Medway, Massachusetts.
5. **Requested Action.** Pursuant to Massachusetts General Law, Chapter 40A, §5, the applicant seeks to change the zoning district designation of the Locus from Rural Residential I (RRI) to Single Family Residential VII (SFRVII) through an amendment to the Zoning Map of Franklin as set forth in the Franklin Town Code, Chapter 185, §5.

PLANNED RESIDENTIAL DEVELOPMENT

6. **Development Overview.** The Single Family Residential VII (SFRVII) zoning district would allow for planned residential developments consisting of multiple single family dwelling units by special permit of the Franklin Planning Board in accordance with the specific criteria set forth in §185-45 and §185-50 of the Franklin Zoning Bylaw. The preliminary planned residential development would include the removal of the existing structures and the construction of a new thirty-four (34) single family home development, with associated bituminous paved access drive, landscaping, lighting, utilities and stormwater infrastructure. A conceptual site rendering of the proposed development prepared by United Consultants, Inc. has been filed along herewith.
7. **Single Family Form of Ownership.** The planned residential development would include the fee ownership of each individual single family lot, along with the proportionate membership in the privately established association for the maintenance and repair of the common access drive, common landscaped areas, pedestrian walkways, stormwater management system and any other infrastructural improvements serving the development. Although the residential development would resemble a conventional residential neighborhood found within the town of Franklin, the development would emphasize smaller individual lot/yard size with

larger deck/patio areas. The individual homes will contain three (3) bedrooms with the option of selecting from a variety of floor plan layouts. The exterior style for each home will vary in design, with alternating entry ways, rooflines, colors and architectural finish so as to promote the appearance of a traditional New England neighborhood. This variety in design will continue in the interior floor plan of each home, offering the homeowner a choice in design which may include a first floor master bedroom, cathedral/open ceiling, guest suites and varied porch layouts. Conceptual illustration plans of the site overview, building elevations, streetscape views and varied interior floor plans prepared by Grandis Homes, LLC have been filed along herewith.

8. Utilities and Infrastructural Improvement of Planned Residential Development. The Locus has access to the public water service and sewer service, natural gas and telephone. The planned residential development would propose, pending approval of the Council, that each home be connected and serviced by the municipal water and sewer system to be constructed according to current standards thereby reducing the chance of infiltration and contamination. A primary access drive is planned to connect to Summer Street with a loop road providing motor vehicle and pedestrian access; access drive also designed to accommodate emergency vehicles to each home. In the course of acquiring special permit approval from the Franklin Planning Board, the development would be designed in compliance with the site plan requirements of §185-31 of the Franklin Zoning Bylaw, incorporating the Best Management Practices to meet the Department of Environmental Protection Stormwater Management runoff quality requirements. The access drive, landscaping, lighting, stormwater management system and associated infrastructural improvements of the development would remain in private ownership of the homeowner's association to be managed and maintained, in perpetuity, by the association of owners and not become the responsibility of the Town.

9. **Financial Impacts of the Planned Residential Development.** The following table summarizes the estimated financial analysis associated with the planned residential development, to wit:

Development of Summer Street		
Financial Analysis		
Locus	10 Acres	
34 three bedroom homes		
Trips per day	200 +/-	
One time permit fees (1)	\$270,940	
Income to Town		Estimated
Total value of 34 units @ \$550,000 each (average)	\$	18,700,000
Tax Revenue at 14.50/1000 after build out	\$	271,150.00
Estimated Annual excise tax	\$	25,500.00
Water and Sewer revenue (2)	\$	58,752.00
Total income	\$	355,402
Costs to Town after build out		
34, three bedroom with 11 students @ 6,000 (3)	\$	66,000
Municipal cost - 78 residents @ 500 (4)	\$	39,000
Total costs	\$	105,000
Net total Per Year	\$	250,402
(1) Building permit (\$81,600) Storm Water (\$3,360) Water (2,655x34=\$90,270) Sewer (2,815x34=\$95,710)		
(2) 160 cubic feet per unit x 34 (\$5.50 x 34 = 29,920 water/\$5.30 x 34 =28,832 sewer		
(3) .31 students per three bedroom unit		
(4) \$500 per resident		

CONCLUSION

The use of the properties to the north, west and south adjoining the Locus are residential in nature. Due to the residential character of the proposed use, the proposed zoning map amendment will not be detrimental or otherwise offensive to the adjoining zoning districts and neighboring properties due to the effects of lighting, odors, smoke, noise, sewage, refuse materials, visual or other nuisances. The planned residential development being proposed by such a zoning amendment would be favorable to a conventional single family residential subdivision. The individual homes would be characterized by less maintenance responsibilities, with emphasis on smaller lot/yard areas, larger deck/patio areas, common areas (ie. access drive, landscaping, lighting, stormwater management system) being maintained by a homeowner's association. In light of the proximate location of the Locus to the commercial center/train station area of the downtown, the planned residential development as proposed by this zoning amendment would appeal to and be more conducive to the emerging housing market comprised of 'millennials' and 'empty nesters'.

WHEREFORE, the applicant/owner/developer respectfully request that the Council revise the zoning district designation of the Locus from Rural Residential I (RRI) to Single Family Residential VII (SFRVII) through an amendment to the Zoning Map of Franklin as set forth in the Franklin Town Code, Chapter 185, §5.

Dated: October 12, 2016

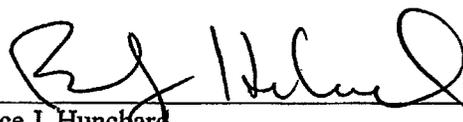
Respectfully submitted,
GRANDIS HOMES, LLC
By its Attorneys,

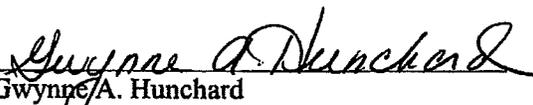
Richard R. Cornetta, Jr

Richard R. Cornetta, Jr., Esquire
Cornetta, Ficco & Simmler, PC
Four West Street
Franklin, MA 02038
Tel: (508)528-5300
Fax: (508)528-5555
Email: Richard@cornettalaw.com

CERTIFICATE OF OWNERSHIP

We, the undersigned applicant/owner, Bruce J. Hunchard and Gwynne A. Hunchard, do hereby certify to the Town of Franklin, through its Town Council, that we are the current fee title holder of the real property located at 496 Summer Street, Franklin, Norfolk County, Massachusetts, also identified on the Franklin Assessor Map 302-008-000, more particularly described in a deed dated January 17, 2002 and filed with the Norfolk District of the Land Court with Certificate Number 161598, in Book 808, Page 198, and further hereby verify and acknowledge this petition which seeks to change the zoning district designation of the Locus from Rural Residential I (RRI) to Single Family Residential VII (SFRVII) through an amendment to the Zoning Map of Franklin as set forth in the Franklin Town Code, Chapter 185, §5.


Bruce J. Hunchard


Gwynne A. Hunchard



Summer Street

PROPOSED RESIDENTIAL DEVELOPMENT
FRANKLIN, MASSACHUSETTS



135 MAIN STREET
SUITE #5
MEDWAY MA 02053



SUMMER STREET
PROPOSALS:
STREET VIEW



135 MAIN STREET
SUITE #5
MEDWAY MA 02053



SUMMER STREET
PROPOSALS:
STREET VIEW



135 MAIN STREET
SUITE #5
MEDWAY MA 02053

SUMMER STREET
PROPOSALS:
STREET VIEW (NIGHT)





135 MAIN STREET
SUITE #5
MEDWAY MA 02053



SUMMER STREET
PROPOSALS:
STREET VIEW



SUMMER STREET
PROPOSALS:
STREET VIEW

135 MAIN STREET
SUITE #5
MEDWAY MA 02053





135 MAIN STREET
SUITE #5
MEDWAY MA 02053

SUMMER STREET
PROPOSALS:
SITE OVERVIEW (TOP)





135 MAIN STREET
SUITE #5
MEDWAY MA 02053



SUMMER STREET
PROPOSALS:
SITE OVERVIEW (ORTHO)



135 MAIN STREET
SUITE #5
MEDWAY MA 02053



SUMMER STREET
PROPOSALS:
ELEVATION



135 MAIN STREET
SUITE #5
MEDWAY MA 02053



SUMMER STREET
PROPOSALS:
ELEVATION



SUMMER STREET
PROPOSALS:
ELEVATION

135 MAIN STREET
SUITE #5
MEDWAY MA 02053

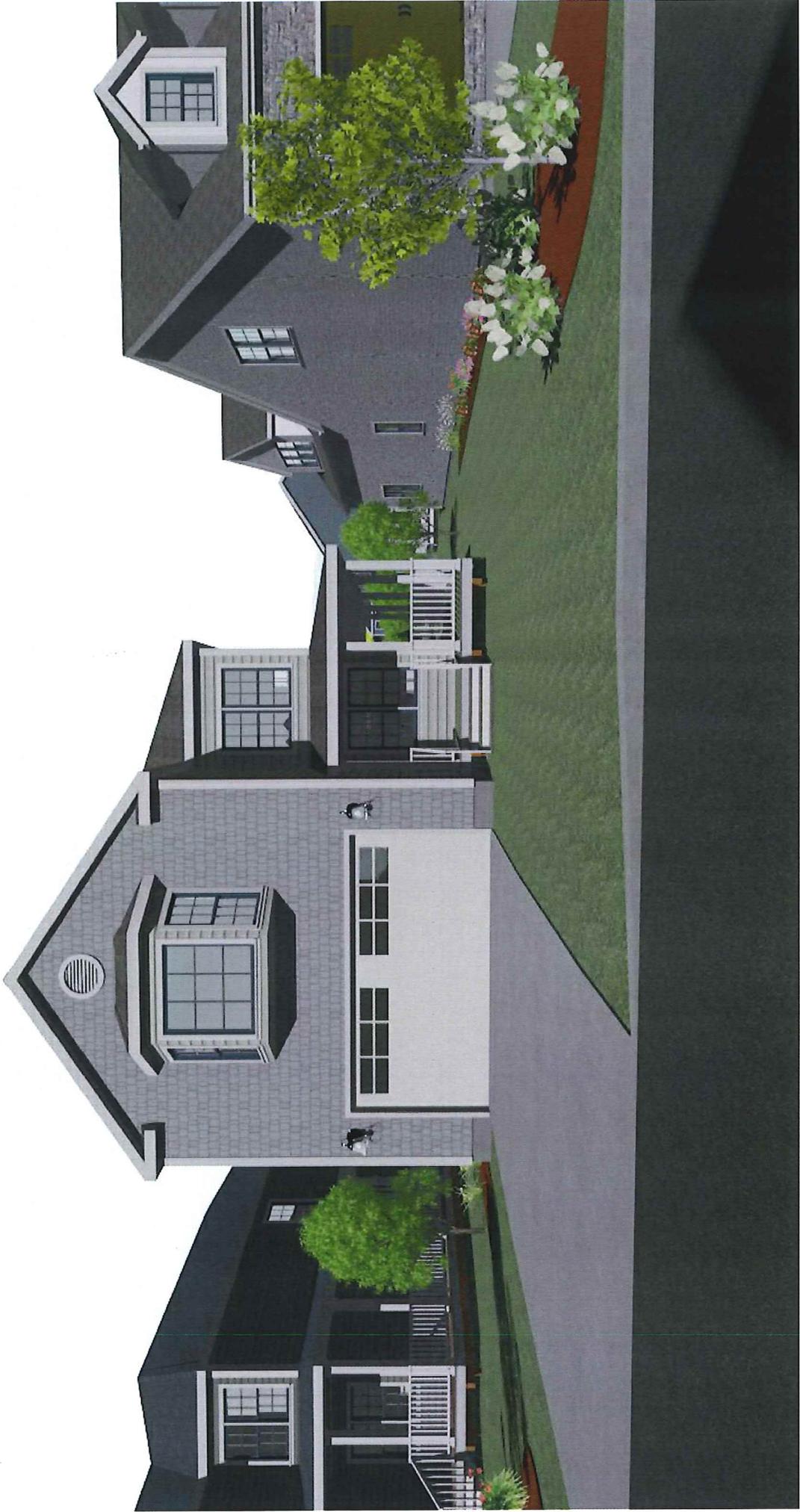




SUMMER STREET
PROPOSALS:
ELEVATION

135 MAIN STREET
SUITE #5
MEDWAY MA 02053





135 MAIN STREET
SUITE #5
MEDWAY MA 02053



SUMMER STREET
PROPOSALS:
ELEVATION



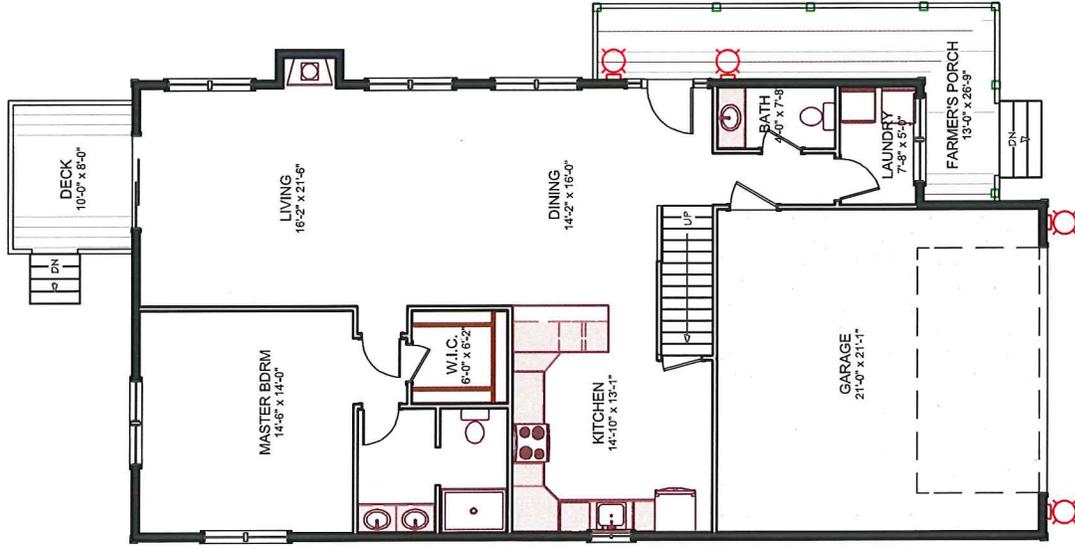
135 MAIN STREET
SUITE #5
MEDWAY MA 02053



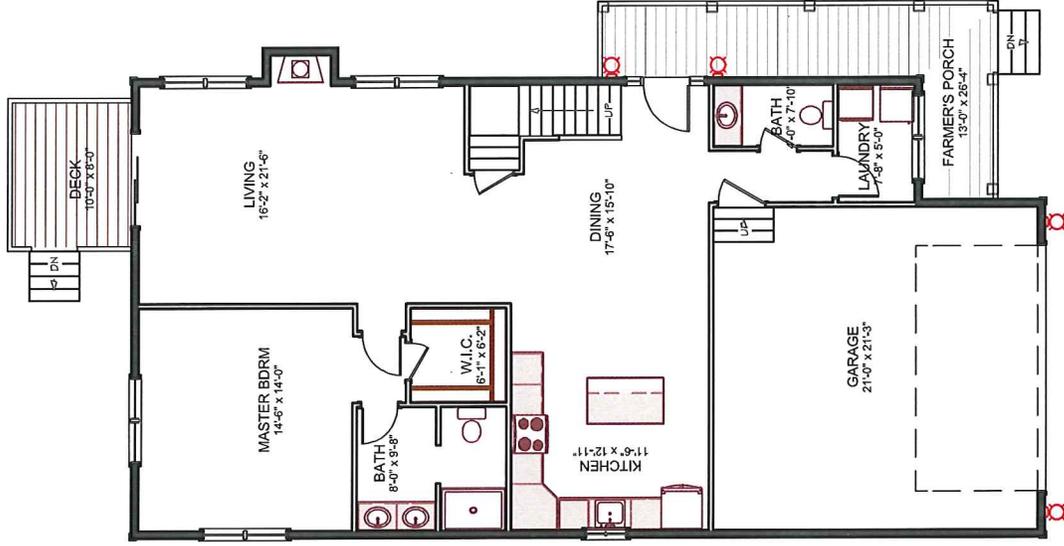
SUMMER STREET
PROPOSALS:
ELEVATION

FIRST FLOOR PLAN
60' OPTIONS

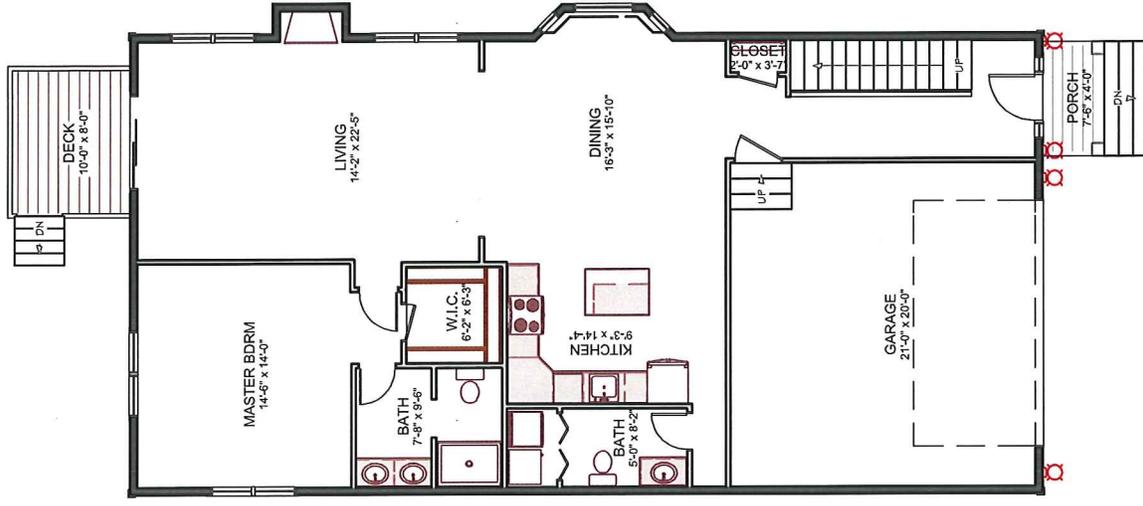
A.) FIRST FLOOR MASTER
OPTION 1



B.) FIRST FLOOR MASTER
OPTION 2



C.) FIRST FLOOR MASTER
OPTION 3

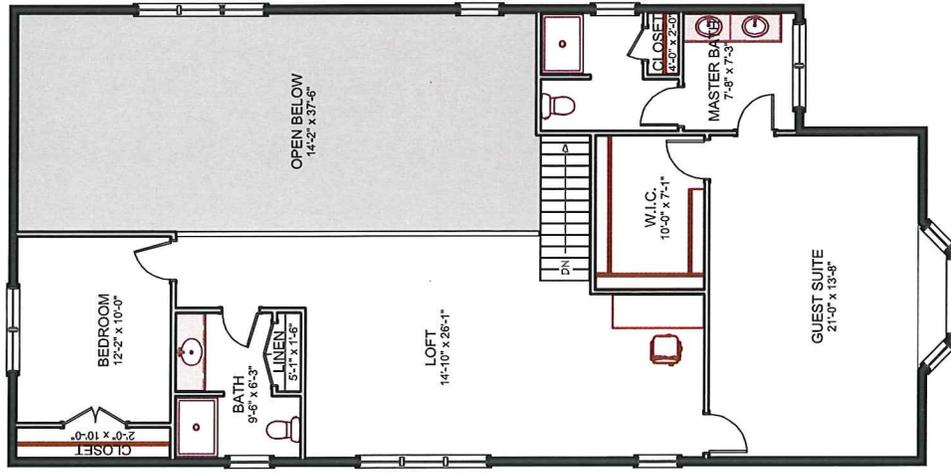


135 MAIN STREET
SUITE #5
MEDWAY MA 02053

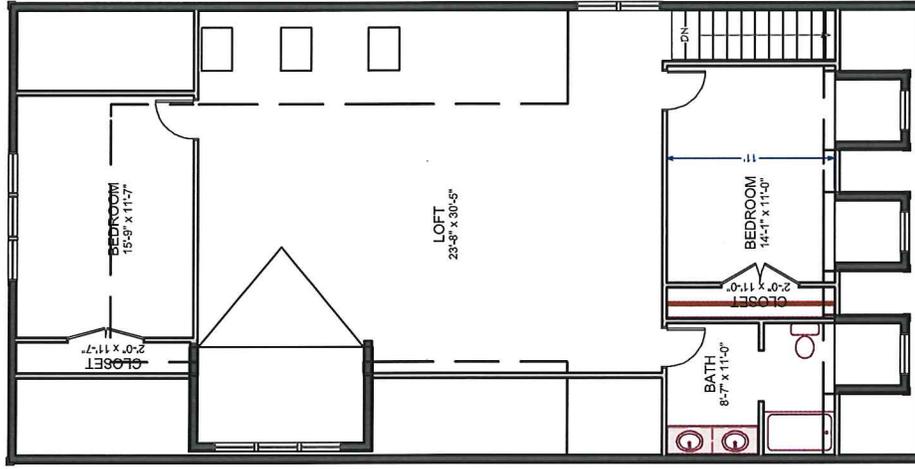
SUMMER STREET
PROPOSALS:
FIRST FLOOR PLAN
60' OPTIONS

SECOND FLOOR PLAN
60' DESIGN SAMPLING

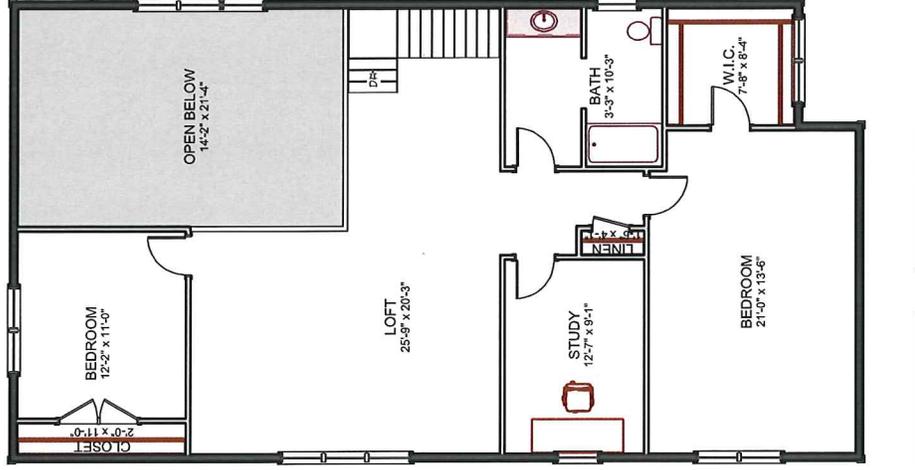
OPTION 1



OPTION 2



OPTION 3

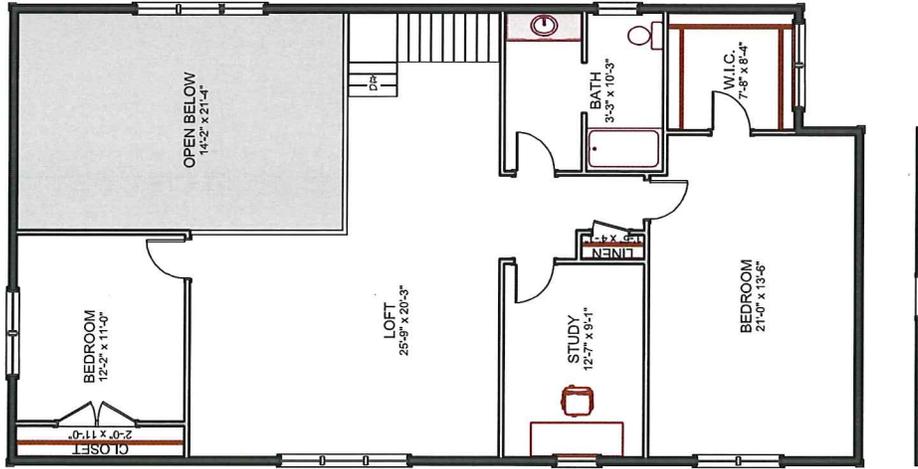


135 MAIN STREET
SUITE #5
MEDWAY MA 02053

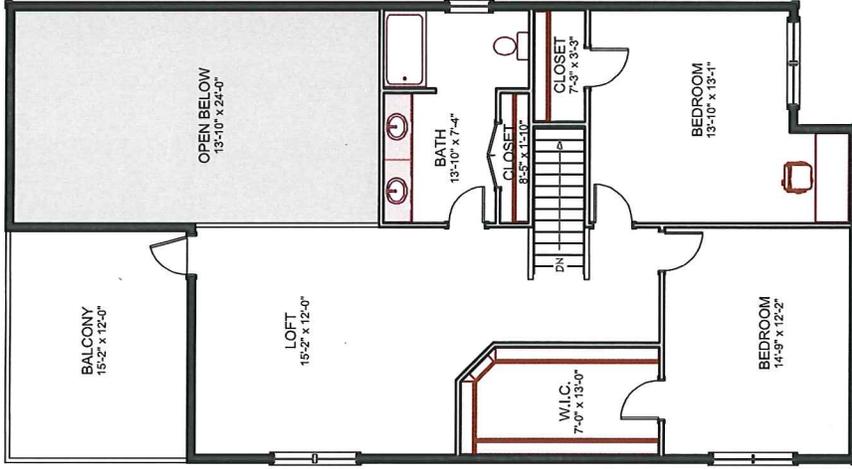
SUMMER STREET
PROPOSALS:
SECOND FLOOR PLAN
60' OPTIONS

SECOND FLOOR PLANS
60' DESIGN SAMPLING
(cont.)

OPTION 4

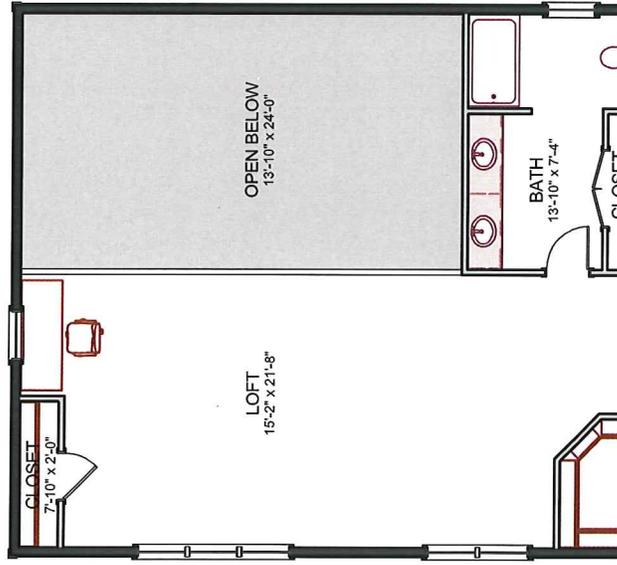


OPTION 5

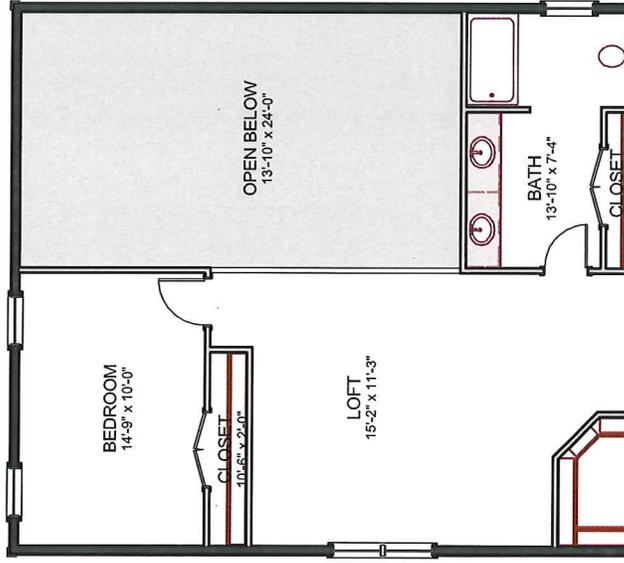


MOST SECOND FLOORS HAVE
OPTIONS OF:

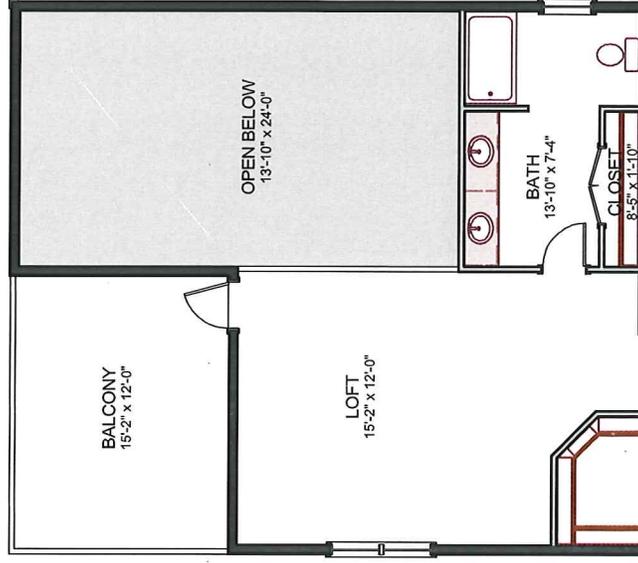
OPTION A.) LARGE
LOFT SPACE (OPEN
TO BELOW)



OPTION B.) LOFT +
EXTRA BEDROOM

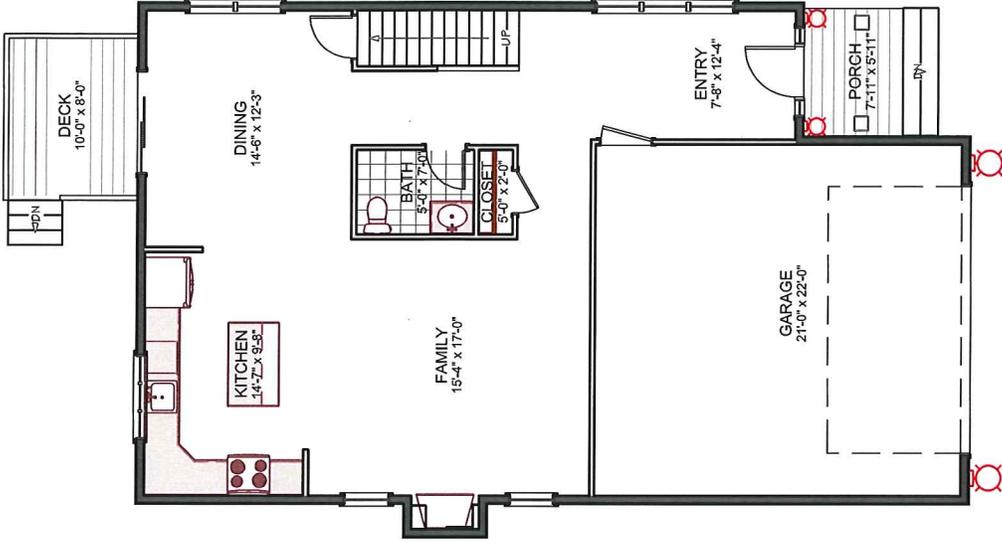


OPTION C.) LOFT +
BALCONY

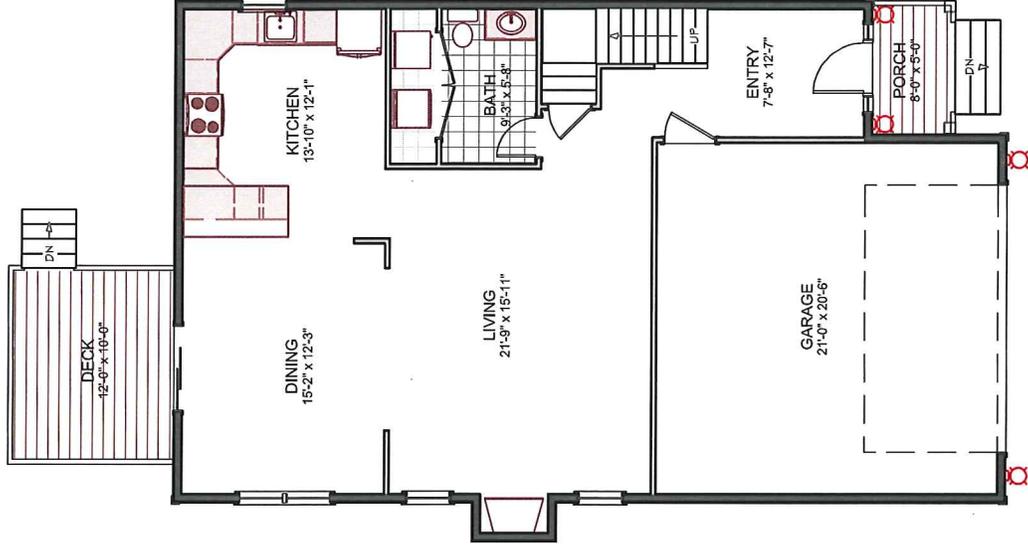


FIRST FLOOR PLAN
50' OPTIONS

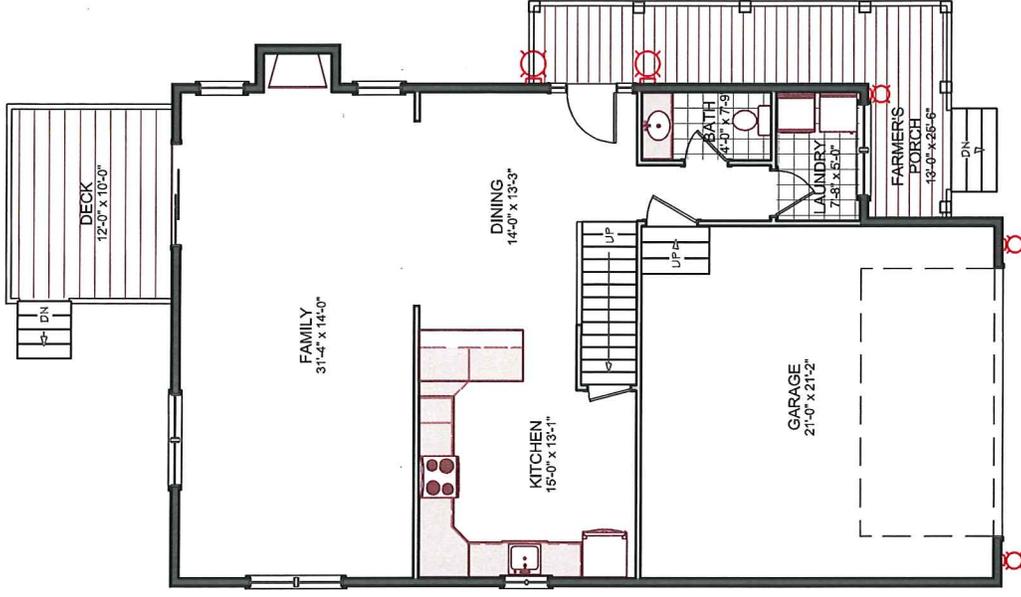
A) SECOND FLOOR MASTER
OPTION 1



B) SECOND FLOOR MASTER
OPTION 2

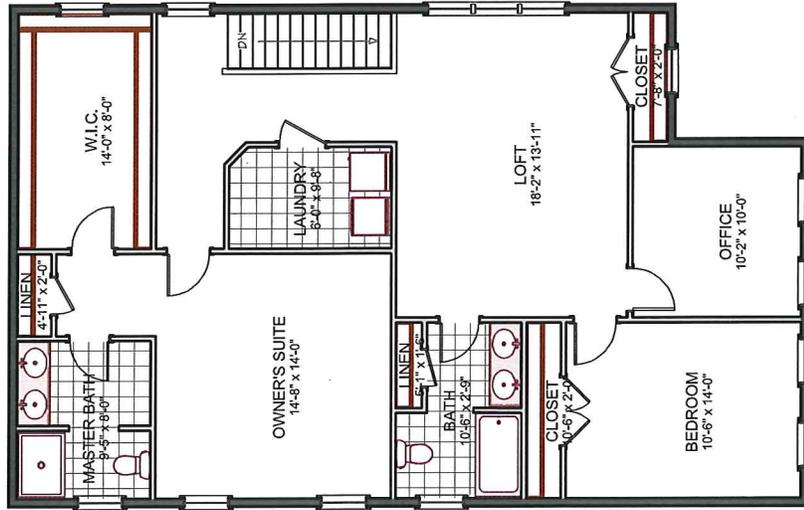


C) SECOND FLOOR MASTER
OPTION 3

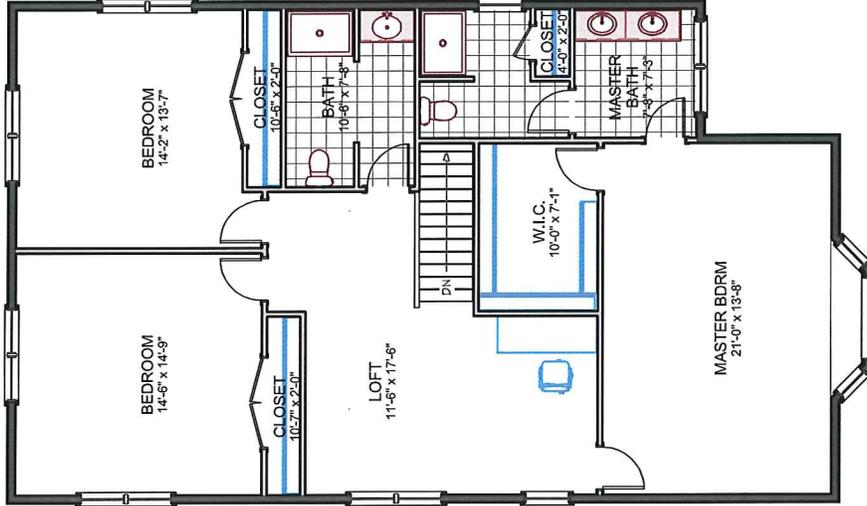


SECOND FLOOR PLAN
50' DESIGN SAMPLING

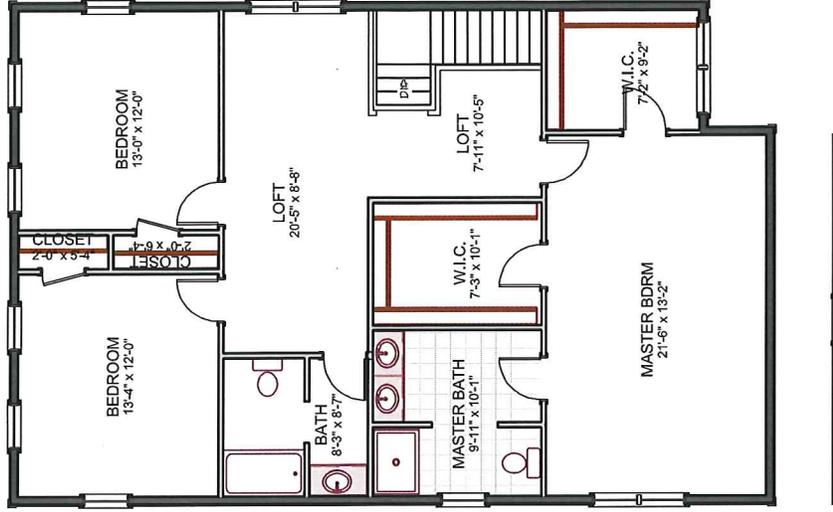
A) SECOND FLOOR MASTER
OPTION 1



B) SECOND FLOOR MASTER
OPTION 2



C) SECOND FLOOR MASTER
OPTION 3



Memo

To: Town Council, Jeff Nutting

From: Jamie Hellen

Re: Update of Section 82 Fees bylaw

The following memo outlines a restructure and simplification of the Bylaw Section 82: Fees.

Overall, we are looking to simplify, clean up, delete, increase, decrease and restructure in some areas the Town's fees bylaw. The main goal is to provide better customer service by making the fee structure easier to understand and reflect the best estimates for costs to the Town for each respective service. The entire bylaw has not been looked at least 20 plus years.

Overall the current bylaw has 493 fees. The proposed new bylaw has 383 fees or categories; a decrease of 116 fees or categories. The summary below showcases each individual department's changes.

A summary of substantive changes in the proposal:

1. Simplified fee schedule: The new bylaw proposal looks to simplify rates and the organization of the bylaw charts by having one column with one rate. The current bylaw has a multiple columns from different fiscal years and different definitions based on outdated fees and language. We are proposing one column with the current rate and when the Council desires to change a fee, it just adds or subtracts the fee. The most substantial changes were in Conservation, Fire, Inspections and Public Works (see below for details).
2. Community Assistance Program: The proposed bylaw redesigns the "Lifeline Program" to be named the Community Assistance Program to develop consistency in the administration of the program and due to outdated language (e.g. department of public welfare).

The goal of the program is to maintain and enhance opportunities for residents of lower incomes afford to live in Franklin. The two opportunities to get discounts on fees are through programs at the Recreation Department, as well as credits on their water, sewer and trash bills. Staff are proposing the water, sewer and trash credits are consistent discounts at twenty percent credit for each, which staff propose to increase the allowable credit from ten percent to twenty percent for water and sewer.

3. Reorganized bylaw: The proposal merges the appendices into the main bylaw, reordered the departments into alphabetical order, and eliminated outdated language.
4. Water & Sewer definitions: Eliminated all definitions of fees, sans the water and sewer definitions, which are slightly amended to commensurate with current Town Code and Bylaws.

Below is a summary of the major changes by department:

1. Administration –
 - a. No fee increases.
 - b. Added a Farmer Brewery and Wine license fee at \$50.00.

2. Animal Control –
 - a. One fee increase: increasing the kennel fee to \$25.00 from \$20.00 per 24 hours.
 - b. Merged Appendix C, which was duplicative, into the main fee table.

3. Assessors –
 - a. Have requested one fee increase, abutters list increase from \$20 to \$25.
 - b. Eliminated all records based charges to comply with new state law to take effect on January 1, 2017.
 - c. Reduced fees from 6 to 2 fees.

4. Conservation –
 - a. Conservation has proposed a significant simplification of their fee structure. The current bylaw has a complicated structure.
 - b. Staff propose a streamline fee structure from 53 fees to 25 with small increases and consolidation of fees into the new categories.

5. Council on Aging/Senior Center
 - a. No fee changes.

6. Fire Department –
 - a. Eliminates 3 ambulance fees that are not needed any longer: Airway management, two defibrillation fees.
 - b. Consolidated “Building Plan review” fees from 13 fee categories to 5 fee categories.
 - c. The proposal increases only ambulance rates to the full maximum, as industry standards are moving more toward cities and towns being better compensated from insurance companies than on the backs of Franklin taxpayers.
 - d. The vast majority of the 80+ service fees staying the same.
 - e. The false alarm fee is being reduced to \$300.00 from \$375.00 to stay commensurate with state code.

7. Health Department –
 - a. The Health Department is proposing to eliminate ten fees that are no longer necessary to have on the books: Bottling, Demolition permit, Milk/cream store, Emergency repair, Household hazmat, bakery, catering, catering one-day, milk pasteurizing, milk trucks, motel
 - b. Proposed five new fees to be incorporated into the bylaw; splash pads, tobacco permits, temporary food event permit, septic haulers.
 - c. Fees that are proposed to increase are: food service permits, grocery stores, Perc testing, Septic plan review. These fees are proposed to increase based off the growing

complexity and staff time to perform these functions. The increases are approximately 10%.

8. Inspections Department –

- a. Completely reworked the entire bylaw, working to simplify the system.
- b. Current bylaw has 84 fees. Staff are proposing a new structure with only 34 fees.
- c. The proposed system is based off a minimum fee, \$75.00, for basic gas, plumbing, electrical, sheet metal inspections (e.g. fixtures, etc.) and giving the customer a per fixture cost after a minimum amount.

The idea is simple: The main cost for an inspection is the time to make an appointment, drive there and conduct one inspection. After the first five fixtures, the cost of the Town diminishes, hence the proposal to give a significant discount for each fixture after, which accurately reflects the inspector’s cost.

- d. The proposed new system will be more transparent and easy to calculate when the town transitions to an E-Permitting system in the next year.
- e. Solar panel, scales, weights and measures fees stay the same.

9. Library

- a. No proposed fee changes.
- b. Eliminated replacement card fee, printer fees (to be administered at department level)
- c. One exception: staff proposal is to take Minuteman Regional recommendations:

Item	Late fee	Maximum late fee
Books, audio CD’s, audio books	.10/per day	\$5.00
Speed readers	.10/per day	\$5.00
DVD’s	\$1/per day	\$5.00
New DVD’s	\$1/per day	\$5.00

10. Planning Department

- a. No proposed fee changes.

11. Police

- a. Eliminated parking meter amounts, per recent bylaw change.
- b. Add three new fees: false alarms (commensurate with bylaw 125-14), finger prints (resident and non-resident rates), and solicitor’s license.
- c. The Police Department will now require Solicitor’s to wear name badges or company attire to properly identify themselves when going door to door.
- d. Firearms related permits set by state statute.

12. Public Works

- a. Eliminated 13 fees not needed any longer, notably items like clothing that are no longer recycled at Beaver Street.

- b. Increased five items of the a la carte menu at Beaver Street: ABC, televisions, computer monitors, auto batteries, tubs and showers.
- c. Increased fees: most water and sewer fees have increased approximately 10 percent to maintain the cost of doing service and minimize costs to the taxpayers at large.
 - i. These fees have not been increased in almost 8-9 years,
 - ii. The water and sewer entry fees have not changed since 1995.
- d. The proposed bylaw maintain the language for the definitions of the water and sewer fees with changes occurring to update the language to reflect current accounting and budgetary language.

13. Recreation

- a. Maintains Recreation Department flexibility to set rates based on market costs for program costs to the town.
- b. Increase in swimming lesson fees from \$75.00 to \$175.00 to \$100.00 to \$200.00.
- c. Proposed elimination of stated fees for field rentals in the bylaw, annual rates set by the Town Administrator due to market fluctuations.
- d. Adding into town bylaw the popular program for lower income families to get discounts on programs if they meet certain income guidelines.

14. Town Clerk

- a. Restructure certified copy rates to \$10.00 for the first copy for all certified copies, \$5.00 for each copy thereafter.
- b. Code supplement was increased from \$50.00 to \$75.00.
- c. Added an additional fee for amendments to Marriage Intentions Notices to reflect the staffing costs needed to correct the problem.
- d. Dog licensing has been increased:
 - i. \$20.00 for all dog licenses where the pooch is spayed or neutered (\$50.00 is not registered by April 1st)
 - ii. \$30.00 if the pooch is not spayed or neutered (\$60.00 if not registered by April 1st)
 - iii. There will be one late fee date (April 1st)
 - iv. Please note, the increase in the dog registration fee across the board will assist in paying for an E-Permitting Pilot Program for dog licenses, vitals and DBA certificates. The E-Permitting software will allow residents or business owners to set up an account with the Town (just like LL Bean or any other business) to conduct their business with the Town.
- e. Kennel licensing rates are being proposed to change:
 - i. Up to four dogs increase from \$50.00 to \$75.00
 - ii. Five to ten dogs from \$30.00 to \$150.00
 - iii. Eleven dogs or more from \$100.00 to \$250.00
- f. Street listing books would be \$25.00, not "\$20.00 to \$25.00."

15. Treasurer-Collector

- a. No proposed fee increases.



Sponsor: Administration

TOWN OF FRANKLIN

BYLAW AMENDMENT 16-776

CHAPTER 82, MUNICIPAL SERVICE FEES

A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT CHAPTER 82

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL that Chapter 82 of the Code of the Town of Franklin is amended by striking the existing language in its entirety and replacing it as follows:

Chapter 82

MUNICIPAL SERVICE FEES

- § 82-1. **Policy on service fees.**
- § 82-2. **Late Fee.**
- § 82-3. **Enforcement action service fees.**
- § 82-4. **Community support program.**
- § 82-5. **Service fee definitions.**
- § 82-6. **Schedule of service fees.**

§ 82-1. **Policy on service fees.** It shall be the policy of the Town of Franklin to provide service fee rates that best estimate and reflect the cost to the Town of providing service.

§ 82-2. **Late fee.** All fees must be paid within 30 days of receipt. Late payments will be charged fourteen-percent interest per annum from the due date and the license or permit will be held in abeyance until fee and penalties are paid in full.

§ 82-3. **Fees enforcement action.** Service fees shall be charged triple the permit or license fee rate for activity begun before first obtaining a permit or license within the time required by the applicable code. Service fees are not a substitute for any other enforcement remedy available to the Town and in no way limit or preclude the Town from pursuing such other available remedies.

§ 82-4. **Community assistance program.** Under the Community Assistance Program, qualifying residents are eligible to receive discounted rates for certain town services. Participating town departments shall establish application and eligibility verification processes

using tax returns as verification of income, dependents or other information to verify eligibility. The program is available to residential households for the following town services:

- A. **Water, sewer and trash discount credits.** Residential water, sewer and trash customers are eligible to receive a twenty-percent credit, per quarter, on their water, sewer and trash bills. Where a bill has been issued prior to an eligibility determination, no abatement will be made unless the amount to be abated amounts to \$10 or more. Discounts are not eligible on penalties for late payment.
- B. **Recreation Department program discount.** Residents of Franklin are eligible for up to a 100% discount on registration or program fees for qualifying residents who meet certain income eligibility guidelines.

§ 82-5. **Service fee definitions.**

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

- i. Sewer inflow/infiltration removal fee:

Fee charged to allow continuation of new sewer connections or increases in existing connections to the sewer system. Funds raised through this fee shall be dedicated to the sewer fund, to be used to assist in the removal of inflow and infiltration from the sewer system. Said fee shall be in addition to any applicable sewer entry, connection or main tap fees. Existing single-family residential structures or existing sewer system users, for which building permits were issued prior to October 24, 2001, shall be exempt from this sewer inflow/infiltration removal fee. Fees for users proposing to increase their flow, whether through increased discharge from the existing use or a change in use shall be calculated on the basis of the increased discharge amount, provided the existing use had not been inactive for more than two years prior to the date of the sewer permit application. Said fee shall be based on average daily flow capacity used, as calculated in accordance with Title V of the State Sanitary Code guidelines.

- ii. Sewer main tap fee:

Fee charged to extend the sewer main from the Town sewer distribution system. The fee is designed to recover the Town's cost of labor to inspect sewer line installations, engineering review and the application process. The fee shall not cover materials or labor to tap the sewer main, which shall be the cost and responsibility of the owner to arrange with a private contractor; the Town will not provide such services. This fee is in addition to the required sewer service connection fee for individual services. Such a fee shall be payable prior to the time of issuance of a building permit or application for services, if a building permit is not required.

- iii. Sewer system entry fee:

Fee charged to recover the Town's share of the costs of building replacement capacity at the sewage treatment plant, as well as the lines and pump stations leading to the plant which are necessitated by the new user's connection to the system. The fee shall be placed in the Town's sewer enterprise fund for construction, operating and equipment costs to improve, maintain and develop the municipal wastewater system capacity. Such fee shall be payable for each new service at time of issuance of a building permit. Any person who is legally responsible for paying a betterment assessment for the extension of sewer to their property shall be credited the amount of the paid or to be paid assessment towards the sewer system entry fee, up to but not exceeding the full amount of this fee.

iv. Sewer service renewal fee:

Fee charged to upgrade or replace an existing service. The fee is designed to recover the expenses for the Town to process the application, perform the engineering reviews, and inspect the sewer service installation. This fee is in addition to the cost of materials or labor to install sewer lines and tap the sewer main, which shall be the cost and responsibility of the owner to arrange with a private contractor; the Town will not provide such services. The fee shall be payable at the time of issuance of renewal.

v. Sprinkler/hydrant fee:

Fee charged for availability of water capacity to sprinkler systems, standpipes and private fire hydrants within commercial or industrial properties.

vi. Water main tap fee:

Fee charged to extend the water main from the Town water distribution system. The fee is designed to recover the Town's cost of labor to inspect waterline installations, engineering review and the application process. The fee shall not cover materials or labor to tap the main, which shall be the cost and responsibility of the owner to arrange with a private contractor, the Town will not provide such services. This fee is in addition to the required water service connection fee for individual services. Such a fee shall be payable prior to the time of issuance of a building permit or application for services, if a permit is not required.

vii. Water reconnection fee:

Fee charged to reconnect after service has been disconnected for nonpayment of bill within 60 days of issue.

viii. Water service renewal fee:

Fee charged to upgrade or replace an existing service. The fee is designed to recover the expenses for the Town to process the application, perform the engineering reviews, and

inspect the waterline and water meter installation. This fee is in addition to the cost of materials or labor to install waterlines and tap the water main, which shall be the cost and responsibility of the owner to arrange with a private contractor; the Town will not provide such services. The fee shall be payable at the time of issuance of renewal.

ix. Water system entry fee:

Fee charged for capital improvements necessitated by connecting a new user to the water system. The fee shall be deposited in the Town's water enterprise fund for construction, operating and equipment costs to make improvements to the municipal water supply system including water mains. Such fee shall be payable for each new service at time of issuance of a building permit.

§ 82-6. **Schedule of service fees.**

A. Administration

Service Fee	Rate
Club/Wine Malt	\$750.00
Liqueurs and cordials	\$900.00
Package – Wine & Malt	\$1,500.00
Common victualler – wine and malt	\$1,500.00
Club/All alcohol	\$1,750.00
Package – all alcohol	\$2,500.00
Common victualler – all alcohol	\$2,500.00
Innholder – all alcohol	\$3,500.00
One-Day (all alcohol or wine and malt)	\$75.00
Alcohol innholder/rooms only	\$1,300.00
Common victualler	\$125.00
Innholders	\$125.00
Farmer Brewery or Wine	\$50.00
Alcohol license modification	\$500.00
Automatic amusement	\$125.00
Weekday amusement	\$125.00
Entertainment	\$125.00
Billiard/Bowling	\$125.00
Class I	\$125.00
Class II	\$125.00
Class III	\$125.00
Boardinghouse	\$125.00
Auctioneer	\$85.00
One-Day Auctioneer	\$85.00

Junk dealer	\$85.00
Taxi/limousine	\$85.00
Transient vendor	\$480.00
Fortune Teller	\$85.00
Public Way Access Permit	\$150.00

B. Animal Control

Service Fee	Rate
Kennel - Boarding	\$25.00 per day after the first 24 hours
Pickup	\$50.00

C. Assessors

Service Fee	Rate
Certified list of abutters	\$25.00
Rollbacks	\$100.00

D. Conservation

Service Fee	Rate
Permit request for determination (RFDA)	\$100.00
Minor Buffer Zone Permit (MBZP)	\$50.00
Abbreviated Notice of Resource Area Determination (ANRAD)	\$.50 per linear foot, per resource area
Notice of Intent (NOI) Permit:	
Single Family Home (SFH), Base Fee	\$200.00
Single Family Home (SFH), all accessory projects	\$50.00
Subdivisions, Base Fee	\$600.00
Subdivisions, Roads	\$2 per foot
Subdivisions, Drainage	\$10/per structure
Subdivisions, Resource Area Disturbance	\$.50/square foot
Multiple Dwellings, Base Fee	\$100.00/per unit within jurisdiction
Multiple Dwellings, Resource Area Disturbance	\$.50/per square foot
Commercial/Industrial, Base Fee:	\$600.00

Commercial/Industrial, Roads	\$2 per foot
Commercial/Industrial, Drainage	\$10/per structure
Commercial/Industrial, Resource Area Disturbance	\$.50/square foot
All Improvements (landscaping/maintenance)	\$100.00
Permit, time extensions:	
Single Family Home or accessory project	\$50.00
Other projects	\$50.00
Permit, certificate of compliance:	
Residential	\$50.00
Commercial/industrial	\$50.00
Re-inspection	\$50.00
Permit, control of nuisance vegetation	\$100.00
Permit, Permit status letter for financial institutions	\$100.00
Permit, project amendment	\$100.00

E. Council on Aging

Service Fee	Rate
Recreational trips	\$2 each way for towns bordering Franklin and Medway; \$5 each way to other
Computer classes	\$15 registration fee
Social events	\$6 per person
Supportive Day programs	\$35 per day

F. Fire

Service Fee	Rate
Ambulance Fees:	
ALS Base Rate 1	\$1,376.00
ALS Base Rate 2	\$1,990.00
BLS Rate	\$1,159.00
Response treatment, no support	\$935.00
Cardiac monitoring	\$175.00
Extra Attendant – ALS/BLS	\$265.00
IV therapy/drug administration	\$150.00
Mileage	\$22.01
Oxygen	\$80.00

BLS disposable supplies	\$75.00
ALS disposable supplies	\$150.00
Building Plan Review:	
Commercial/Industrial	\$150.00
Residential – Multifamily	\$100.00
Residential – one and two single family	\$65.00
Residential – single family	\$35.00
Storage uses	\$50.00
Utility, miscellaneous	\$50.00
False alarm fee	\$300.00
Fire alarm connection/programming	\$130.00
Fire alarm inspections:	
Less than 3,000 square feet	\$45.00
3,001 to 10,000 square feet	\$60.00
10,001 to 20,000 square feet	\$95.00
20,001 to 30,000 square feet	\$175.00
30,001 or more square feet	\$175.00
Fire permits:	
Blasting permits	\$45.00
Bonfires and burning Christmas trees	\$10.00
Bowling pin and lane refurnishing	\$10.00
Cannon and mortar firing.	\$45.00
Cellulose nitrate film	\$110.00
Combustible fibers	\$110.00
Compressed natural gas (CNG)	\$110.00
Covered mall buildings	\$45.00
Crop ripening or color processing	\$110.00
Cutting and welding	\$45.00
Dust explosion prevention	\$110.00
Explosives	\$45.00
Fire protection equipment – modification	\$60.00
Fire protection systems – new installation	See fire alarm inspections
Fireworks displays	\$110.00
Fireworks manufacture, storage and handling	\$210.00
Flammable and combustible liquids:	
11 to 20 gallons	No charge
21 to 100 gallons	\$75.00
101 to 500 gallons	\$150.00

500 to 1,000 gallons	\$300.00
1,001 to 5,000 gallons	\$450.00
5,001 to 10,000 gallons	\$600.00
10,000 gallons or more	\$750.00
Flammable and combustible gases:	
Less than 3,000 cubic feet	No charge
3,001 to 6,000 cubic feet	\$75.00
6,001 to 9,000 cubic feet	\$150.00
9,001 to 12,000 cubic feet	\$300.00
12,001 to 15,000 cubic feet	\$450.00
Greater than 15,000 cubic feet	\$600.00
Flammable solids:	
0 to 20 pounds	No charge
21 to 100 pounds	\$75.00
101 to 500 pounds	\$150.00
501 to 1,000 pounds	\$300.00
1,001 to 5,000 pounds	\$450.00
5,001 to 10,000 pounds	\$600.00
10,000 gallons or more	\$750.00
Fuel transfer operations – service stations	\$75.00
Fumigation and insecticidal fogging	\$10.00
Hazardous substances left unattended:	
Limited special effects	\$110.00
LP Gas	\$45.00
Lumberyards	\$110.00
Matches	\$45.00
Model rockets	\$45.00
Oil-burning equipment	\$45.00
Open air fires	No charge
Ovens and furnaces	\$45.00
Rubbish containers	\$45.00
Salamanders	\$55.00
Special seasonal decorations	\$60.00
Storage, combustible materials	See storage of flammable and combustible liquids
Tank vehicles parked overnight	\$55.00
Tanks and containers	See storage of flammable and combustible liquids and gases

Tank removal	\$75.00
Tar kettles on roofs	\$45.00
Tire recapping and rebuilding plants	\$210.00
Tire storage	\$75.00
Torches and heat producing devices	\$45.00
Transportation of combustible liquids (tank truck)	\$75.00
Fire protection equipment testing	\$35.00
Fire reports	\$10.00
Quarterly or annual inspections	\$65.00
Site plan review:	
Site plan review	\$50.00
Amended site plan review	\$25.00
Vehicle accidents – fire apparatus response	\$135.00

G. Health

Service Fee	Rate
Biotech application	\$600.00
Biotech annual renewal	\$100.00
Body art, establishment	\$150
Body art, operator	\$60.00
Bottling	\$75.00
Camps, day	\$100.00
Camps, residential	\$100.00
Chapter 21E site assessment	\$100.00
Cleaners/laundromat	\$30.00
Disposal of garbage, offal	\$65.00
Food service establishment:	
1-49 seats	\$200.00
50 plus seats	\$250.00
Frozen desserts	\$60.00
Funeral director	\$25.00
Grocery store, greater than 10,000 square feet	\$300.00
Infectious waste disposal	\$50.00
Keeping of animals permit	\$35.00
Manicure establishment	\$150.00
Mobile food vehicle	\$100.00
Outdoor wood burnings boiler	\$100.00

Perc testing/soil testing	\$250.00
Septic plan review/inspections:	
Repair	\$275.00
New	\$375.00
Pump system, additional	\$100.00
Innovative/alternative system:	
Repair	\$125.00
New	\$200.00
Retaining wall, additional	\$50.00
Design plan revision, 1 st , subsequent revision:	
Repair	\$75.00
New	\$125.00
Septic system inspections (N/C 1st 3):	
Repair	\$50.00
New	\$100.00
Commercial	\$400.00 Base fee, plus \$25.00 per 1,000 gallons plus an additional \$150 for pump system, I/A system
Private well	\$125.00
Retail food establishment	\$100.00
Recycling permit	\$100.00
Septic hauler	\$65.00
Septic minor repair	\$75.00
Septic system installer	\$150.00
Splash pad	\$50.00
Stable permit	\$50.00
Swimming pool/spa	\$50.00
Tanning parlor	\$150.00
Temporary food event	\$50.00
Tobacco products sale permit	\$150.00
Trench	\$25.00

H. Inspections

Service Fee	Rate
Residential Building Permits	\$9 per \$1,000 of value
Commercial Building Permits	\$10 per \$1,000 of value
Minimum fee for all permit inspections	\$75.00

Minimum fee for all permit re-inspections	\$75.00
Electrical Permits and Underground (New, Remodeling, Pools)	\$75.00 up to five fixtures; \$10 per fixture thereafter.
Gas Permits and Underground (New, Remodeling, Pools)	\$75.00 up to five fixtures; \$15 per fixture thereafter.
Plumbing Permits and Underground (New, Remodeling, Pools)	\$75.00 up to five fixtures; \$15 per fixture thereafter.
Sheet Metal Permit (New, Remodeling)	\$75.00 up to five fixtures; \$15 per fixture thereafter.
Replacement of Existing Gas Hot Water Heater Combo (Plumbing & Gas)	\$100.00
Traffic and Street Lighting Poles	\$75.00, per pole
Temporary Service	\$75.00, per pole
Security, burglar alarms and low voltage wiring (New or Remodeling)	\$75.00 up to 5 devices, \$10 each additional device
Yearly maintenance service for electrical	\$200.00
Carnivals	\$200.00
After hours inspection for Electrical or Plumbing	\$200.00
Photovoltaic solar panel systems:	
1 to 100	\$2.00 per panel
101 to 5,000	\$1.50 per panel
5,001 +	\$1.00 per panel
Scales:	
Weights (all types)	\$1.10
Under 10 pounds	\$16.50
10 to 100 pounds	\$22.00
1,000 to 5,000 pounds	\$33.00
5,000 to 10,000 pounds	\$66.00
Over 10,000 pounds	\$110.00
Measuring devices:	
Linear measures	\$11.00
Cordage measures	\$22.00
Fabric measures	\$22.00
Taxi meters	\$27.50
Bulk storage	\$82.50

Vehicle tank	\$55.00
Gasoline meters (per meter)	\$22.00
Other devices:	
Reverse vending	\$11.00
Automatic retail checkout systems (2 years)	
Less than 4 units	\$82.50
4 units to 11 units	\$165.00

I. Library

Service Fee	Rate		
	Item	Late fee	Maximum late fee
Overdue late fees	Books, audio CD's, audio books	.10/per day	\$5.00
	Speed readers	.10/per day	\$5.00
	DVD's	\$1/per day	\$5.00
	New DVD's	\$1/per day	\$5.00

J. Planning

Service Fee	Rate
Approval not required (81 P)	\$150.00
Approval not required (81 P) with new buildable lots proposed	\$350.00
Preliminary plan:	
1 to 5 lots	\$700.00
Each lot after 5 lots	\$100.00 per lot
Definitive plan	\$2.00 per linear foot of roadway; \$800 minimum
Planning Board special permit	\$750.00
Bond release (estimate)	\$500.00
Bond release (reduction)	\$500.00
Site plan:	
Up to 9,999 square feet of impervious coverage	\$1,500.00
10,000 to 24,999 square feet of impervious coverage	\$2,500.00

25,000 to 50,000 square feet of impervious coverage	\$4,000
Over 50,000 square feet	\$4,000, plus \$100 per each 10,000 square feet of impervious coverage over 50,000 square feet
Limited site plan	\$500.00
Subdivision modification application	\$750.00
Independent consultant review fees (subdivision and site plan)	Determined by inspection consultant; due before issuance of decision by Planning Board
Construction and administration inspection fee (subdivision and site plan)	Determined by inspection consultant; due before issuance of decision by Planning Board

K. Police

Service Fee	Rate
False alarms:	
1 to 3 times	No Charge
Fourth	\$25
Fifth or more	\$50.00 per alarm
FID Permit	Subject to Massachusetts General Law
Finger prints:	
Franklin resident	\$20.00
Non-Franklin resident	\$50.00
Hackney license	\$25.00
Parking Permits:	
Downtown employee municipal lot	\$180 per six months
Commuter rail municipal parking	\$120 per quarter
Pistol permit	Subject to Massachusetts General Law
Solicitor's permit:	
One person	\$100.00
More individuals	\$20.00 per person

L. Public Works

Service Fee	Rate
Beaver Street Recycling Center (Annual Sticker Fee)	\$25.00
Beaver Street Recycling Center (Beaver Street recycling sticker required)	
ABC (asphalt, brick, concrete) per load	\$15.00
Auto batteries	No charge
Carpeting – 4 foot rolls, 24-inch diameter	\$10.00
Freon containing items	\$15 per item
Grills	No Charge
Hazardous Waste	\$5 per gallon, \$5 per 10 pounds
Mattresses and Box Springs	\$10.00
Propane tanks	\$5.00 each
Sinks	\$10.00
Televisions (less than 25 inches)	\$15.00
Televisions (25 inches and greater)	\$25.00
Tires (all sizes)	\$5.00 each
Toilets	\$15.00
Tubs/showers	\$50.00
Yard Waste (per registered vehicle or trailer):	
Car, pickup truck, van or trailer under 4 x 8 without sides	No Charge
Pickup truck with extended sides	\$25.00 per load
Trailer (over 4 x8) or enclosed cargo trailer	\$25.00 per load
Curbside Collection (home pickup by vendor, no recycling sticker required):	
Freon containing items	\$33 per item
Mattresses and Box Springs	\$18.00
Televisions (less than 25 inches)	\$28.00
Televisions (25 inches and greater)	\$38.00
Curbside Trash (annual)	
Fee using 65-gallon trash and recycling carts	\$204.00
Fee using 35-gallon trash and recycling carts	\$180.00
Extra trash cart annual fee	\$150.00
Extra recycling cart annual fee	\$75.00
Extra recycling cart business annual fee	\$100.00
Overflow bag	\$3.00
Drain Layer's license (new – 2 years)	\$125.00
Drain layer's license (renewal – 2 years)	\$65.00
Map Sales	\$15.00
Public way access permit	\$100.00

Street excavations	\$310.00
Trench	\$25.00
Water and Sewer Fees:	
Water main tap	\$475.00
Water service renewal	\$225.00
Water/sewer extension permit	\$20.00
Water connection	\$300.00
Water reconnection	\$50.00
Final meter reading	\$75.00
Sewer connection	\$400.00
Water turnoff – operating hours	\$60.00
Water turnoff – after hours	\$300.00
Water map amendment	\$325.00
Fire service (sprinkler) connection	\$275.00
Hydrant flow test	\$125.00
Backflow inspection	Subject to public procurement, with a ten percent overhead added to the final amount
Sewer map amendment	\$325.00
Sewer service renewal	\$250.00
Sewer main tap	\$275.00
Sewer inflow/infiltration (to be removed, less a credit up to the amount of the sewer entry fee, if any, paid at the time of application)	\$6.00 per gallon
Sprinkler/hydrant	\$500.00
Water system entry	\$2,440
Sewer system entry	\$2,440

M. Recreation

Service Fee	Rate
All recreation programs	\$5 to \$200.00 per participant
Chilson Beach Passes:	
Day Fee	\$10 per day/per car
Season Pass	\$75.00, half price for senior citizens.
Swimming lessons	\$100 to \$200.00
Field rental fee (for profits)	Town Administrator sets the rate for all field rentals

Facilities Permit fee (nonprofits)	\$50.00 per hour; electrical fees apply to groups using the lights.
---------------------------------------	---

N. Town Clerk

Service Fee	Rate
Certified copy (First Copy)	\$10.00
Certified copy (Additional copies)	\$5.00 per copy
Marriage intentions notice	\$25.00
Marriage intentions notice (amendment)	\$10.00
Dog Licensing Registration:	
Before April 1 st (spayed/neutered)	\$20.00
Before April 1 st (not spayed/neutered)	\$30.00
After April 1 st (Late dog registration fee, spayed/neutered)	\$50.00
After April 1 st (Late dog registration fee, not spayed/neutered)	\$60.00
Kennel license:	
Up to four dogs	\$75.00
Five to ten dogs	\$150.00
11 or more dogs	\$250.00
Recording, filing, amending	\$15.00
Pole location	\$50.00, plus \$5.00 per pole
Code supplement	\$75.00
Zoning/subdivision books	\$30.00
Street listings	\$25.00
Business certificates (every four years)	\$40.00
Underground storage tank license	\$100.00
Hazardous materials	\$100.00
Research/genealogical	\$20.00/per hour

O. Treasurer-Collector

Service Fee	Rate
Municipal Liens	\$50.00
Demand Notice	\$10.00
Redemption	\$165.00
Duplicate bill fee	\$2.00
Tax taking	\$125.00
Electronic tax file fee	\$250.00

This bylaw amendment shall become effective on and after January 1, 2017.

DATED: _____, 2016

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

Teresa M. Burr
Town Clerk

ABSTAIN _____

ABSENT _____

Judith Pond Pfeffer, Clerk
Franklin Town Council

Chapter 82. Fees

[HISTORY: Adopted by the Town Council of the Town of Franklin 12-9-1987 by Bylaw Amendment 87-116. Amendments noted where applicable.]

GENERAL REFERENCES

Dogs — See Ch. **75**.
Hazardous materials — See Ch. **99**.
Junk dealers and collectors — See Ch. **105**.
Pawnbroking — See Ch. **121**.
Transient vendors — See Ch. **165**.
Abrasive blasting and sanding — See Ch. **200**.
Building material disposal — See Ch. **205**.
Burying — See Ch. **209**.
Laundromats — See Ch. **235**.
Massage parlors — See Ch. **240**.
Mobile food units — See Ch. **244**.
Sewage disposal — See Ch. **250**.
Stables — See Ch. **258**.
Subdivision of land — See Ch. **300**.

Attachment 1 - Appendix A, List of Service Fee Rates 

Attachment 2 - Appendix B, Utility Service Rates 

Attachment 3 - Appendix C, Other Service Fee Rates 

§ 82-1. Municipal service fees.

[Added 7-21-1993 by Bylaw Amendment 93-241^[1]]

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

CENTRALLY BUDGETED COST

A cost budgeted for an administrative support function which is centrally administered, including but not limited to the Town

Administrator, Treasurer-Collector and personnel.

CENTRAL SERVICE COST

Costs incurred by departments, but budgeted centrally to a nondepartmental cost pool for the purpose of easier cost accounting, including but not limited to health and life insurance, workers' compensation and retirement.

COMMUNITY-OWNED

An elective service for which the Town assumes a significant cost share by using tax dollars to subsidize all or a large proportion of the full cost to deliver the service.

COST ALLOCATION PLAN

A document which accounts for all centrally budgeted costs and all central service costs and provides an allocation basis to redistribute each such cost in a fair and equitable manner to departments benefiting from such central expenditures.

CROSS-ALLOCATED SERVICE COST

That portion of the full cost which is incurred and budgeted by a department other than the department which directly delivers an elective service, including review functions performed by one department on behalf of the service delivery department.

DIRECT SERVICE COST

That portion of the full cost which is incurred and budgeted by departments for the resources necessary to perform its functions and to deliver elective services, including but not limited to wages, materials and supplies, equipment and contracted services.

ELECTIVE SERVICES

Municipal services which are either not available to or are not requested by all residents.

FULL COST

The total cost to deliver a service, including the direct service cost, indirect service cost and cross-allocated service cost.

FULL COST FEE CERTIFICATION

A statement filed by the Town Comptroller at least once annually, concurrent with distribution of the annual budget recommendations to the Finance Committee, to indicate that the Town Comptroller's Department has reviewed and recalculated the full cost of indicated service fees; such certification is a verification of the accuracy and currency of the full cost calculations.

INDIRECT SERVICE COST

That portion of an elective service's full cost which may be budgeted somewhere else other than the departmental budget for that elective service.

LISTING OF SERVICE FEE RATES

A list prepared by the Town Treasurer-Collector at least once annually on or before May 1 of each year and presented to the Town Council for bylaw ratification.

SERVICE FEE

The amount charged for an elective service and published in the Town's listing of service fee rates.

SEWER INFLOW/INFILTRATION REMOVAL FEE

Fee charged to allow continuation of new sewer connections or increases in existing connections to the sewer system. Funds raised through this fee shall be dedicated to the sewer fund, to be used to assist in the removal of inflow and infiltration from the sewer system. Said fee shall be in addition to any applicable sewer entry, connection or main tap fees. Existing single-family residential structures or existing sewer system users, for which building permits were issued prior to October 24, 2001, shall be exempt from this sewer inflow/infiltration removal fee. Fees for users proposing to increase their flow, whether through increased discharge from the existing use or a change in use shall be calculated on the basis of the increased discharge amount, provided the existing use had not been inactive for more than two years prior to the date of the sewer permit application. Said fee shall be based on average daily flow capacity used, as calculated in accordance with Title V of the State Sanitary Code guidelines.

[Added 10-17-2001 by Bylaw Amendment 01-488; amended 2-6-2002 by Bylaw Amendment 02-496]

SEWER MAIN TAP FEE

Fee charged to extend the sewer main from the Town sewer distribution system. The fee is designed to recover the Town's cost of labor to inspect sewer line installations, engineering review and the application process. The fee shall not cover materials or labor to tap the sewer main, which shall be the cost and responsibility of the owner to arrange with a private contractor; the Town will not provide such services. This fee is in addition to the required sewer service connection fee for individual services. Such a fee shall be payable prior to the time of issuance of a building permit or application for services, if a building permit is not required.

[Added 12-20-1995 by Bylaw Amendment 95-306]

SEWER SYSTEM ENTRY FEE

Fee charged to recover the Town's share of the costs of building replacement capacity at the sewage treatment plant, as well as the lines and pump stations leading to the plant which are necessitated by the new user's connection to the system. The fee shall be placed in the Town's capital sewer construction and equipment costs fund to improve and develop the municipal wastewater system capacity. Said fee to be reserved for appropriation for the above-mentioned capital improvements. Such fee shall be payable for each new service at time of issuance of a building permit. Any person who is legally responsible for paying a betterment assessment for the extension of sewer to their property shall be credited the amount of the paid or to be paid assessment towards the sewer system entry fee, up to but not exceeding the full amount of this fee.

[Added 12-20-1995 by Bylaw Amendment 95-306; amended 5-16-2001 by Bylaw Amendment 01-471]

SPRINKLER/HYDRANT FEE

Fee charged for availability of water capacity to sprinkler systems, standpipes and private fire hydrants within commercial or industrial properties.

[Added 12-20-1995 by Bylaw Amendment 95-306]

TAX SUBSIDY

That portion of an elective service's full cost which is not recovered by the service fee.

WATER MAIN TAP FEE

Fee charged to extend the water main from the Town water distribution system. The fee is designed to recover the Town's cost of labor to

inspect waterline installations, engineering review and the application process. The fee shall not cover materials or labor to tap the main, which shall be the cost and responsibility of the owner to arrange with a private contractor, the Town will not provide such services. This fee is in addition to the required water service connection fee for individual services. Such a fee shall be payable prior to the time of issuance of a building permit or application for services, if a permit is not required.

[Amended 12-20-1995 by Bylaw Amendment 96-306]

WATER RECONNECTION FEE

Fee charged to reconnect after service has been disconnected for nonpayment of bill within 60 days of issue.

[Added 12-20-1995 by Bylaw Amendment 95-306]

WATER SERVICE RENEWAL FEE

Fee charged to upgrade or replace an existing service. The fee is designed to recover the expenses for the Town to process the application, perform the engineering reviews, and inspect the waterline and water meter installation. This fee is in addition to the cost of materials or labor to install waterlines and tap the water main, which shall be the cost and responsibility of the owner to arrange with a private contractor; the Town will not provide such services. The fee shall be payable at the time of issuance of renewal.

[Added 12-20-1995 by Bylaw Amendment 95-306]

WATER SYSTEM ENTRY FEE

Fee charged for capital improvements necessitated by connecting a new user to the water system. The fee shall be deposited in the Town's capital well construction and equipment costs fund to make improvements to the municipal water supply system including water mains. Said fee to be reserved for appropriation for the above-mentioned capital improvements. Such fee shall be payable for each new service at time of issuance of a building permit.

[Added 12-20-1995 by Bylaw Amendment 95-306]

- B. Policy statement. It shall be the policy of the Town of Franklin to minimize the use of property tax revenues to subsidize the costs of delivering elective services. It shall also be the Town's policy, in each case, to calculate, establish and review the full cost of an elective service prior to adopting or revising the service fee rate for such service.
- C. Fee setting procedures.
[Amended 3-15-1995 by Bylaw Amendment 95-285]
- (1) Concurrent with distribution of the annual budget recommendations to the Finance Committee, the Town Comptroller shall every other fiscal year prepare and distribute a full cost fee certification, with recommended fee levels, to the Town Council and other elected boards; such certification shall be based upon a recalculation of current costs to deliver elective services. Recommended full cost service fee levels shall be consistent with full cost rates, but shall be adjusted up to the nearest dollar.
 - (2) Full cost service fees shall be set by bylaw at the Town Comptroller's recommended levels, unless otherwise moved to another service fee category by majority vote of the Town Council.
 - (3) A listing of service fee rates shall become effective 30 days after publication and bylaw ratification. The published listing shall be organized by assigned service fee categories and shall present rates in effect for the previous fiscal year. A fee that is ratified in an amount that is less than the full cost to deliver the service shall be redesignated to the appropriate service fee category.

- D. Service fee categories. Each service fee shall be assigned to one of the following service fee categories in accordance with the definitions in Subsection **A**:
- (1) Waived service fees. These service fees shall be set at a level of \$0 and shall be indicative of the Town's decision to consider such services as community-owned and appropriate for full tax subsidy.
 - (2) Discounted service fees. These service fees shall be discounted below full cost and shall be indicative of the Town's decision to consider such services as community-owned in part and appropriate for partial tax subsidy.
 - (3) Minimum level service fees. These service fees shall be set at existing levels, as indicated at the listing of service fee rates, and shall remain at such levels until their actual full cost exceeds such levels, whereupon such fees shall be automatically reclassified as full cost service fees.
 - (4) Phased-In service fees. These service fees shall be set and scheduled to phase-in at different levels for each year indicated in the listing of service fee rates.
 - (5) Full cost service fees. These service fees shall be set automatically and individually adjusted annually to levels which incorporate changes in the full cost basis for providing services.
 - (6) Utility service fees. These service fees, as indicated at the listing of service fee rates, shall be set and reviewed periodically by the Town Council.
 - (7) Service fees set by elected boards. These service fees shall be set independently by an elected board authorized to set fees.
 - (8) Enforcement action service fee. These service fees shall be set at triple the permit or license fee rate for activity begun before first obtaining a permit or license within the time required by the applicable code. Enforcement action service fees are not a substitute for any other enforcement remedy available to the Town and in no way limit or preclude the Town from pursuing such other available remedies.
[Added 8-3-1994 by Bylaw Amendment 94-265]

[1] *Editor's Note: This bylaw also renumbered former § 82-1, Fee schedule, as § 82-2. Former § 82-2, Billing practices, was renumbered by the editor.*

§ 82-2. (Reserved)

[1] *Editor's Note: Former § 82-2, Fee Schedule, as amended, was repealed 8-25-1993 by Bylaw Amendment 93-247. For current provisions, see Appendixes A, B and C at the end of this chapter.*

§ 82-3. Billing practices.

[Added 2-27-1991 by Bylaw Amendment 91-205]

- A. Lifeline program.

- (1) Under the Lifeline Program, residential water and sewer system customers are eligible to receive a ten-percent credit per quarter. Where a bill has issued prior to an eligibility determination, no abatement will be made unless the amount to be abated amounts to \$5 or more. This program is available to residential accounts for which one or more household members receive any of the following benefits:
 - (a) Aid to Families with Dependent Children.
 - (b) Massachusetts General Relief.
 - (c) Supplemental Security Income.
 - (d) Medicaid.
 - (e) Food stamps.
 - (f) Fuel assistance.
 - (2) Eligibility for the lifeline Program must be verified by the Department of Public Welfare or the Fuel Assistance Program. Credit shall be given upon each payment accompanied by proof of eligibility verification.
- B. Late fee. All bills must be paid within 30 days of receipt. Late payments will be charged fourteen-percent interest per annum from the due date.
[Amended 12-19-2001 by Bylaw Amendment 01-490^[1]]
[1] *Editor's Note: This bylaw amendment also provided that it shall take effect 7-1-2002.*

FEES

82 Attachment 1

Town of Franklin

Appendix A

List of Service Fee Rates

**[Added 8-25-1993 by Bylaw Amendment 93-247;
last amended 5-18-2005 by Bylaw Amendment 05-570¹]**

A. Administration. [Amended 1-22-2013 by Bylaw Amendment 13-699]

Service Fee	FY04 Rate	FY2013 Rate	Service Category
Club/wine and malt	\$750.00		Minimum
Liqueurs and cordials	\$900.00		Minimum
Package - wine/malt	\$1,500.00		Minimum
Common victualler - wine and malt	\$1,500.00		Minimum
Club/All alcohol	\$1,750.00		Minimum
Package - all alcohol	\$2,500.00		Minimum
Common victualler - all alcohol	\$2,500.00		Minimum
Innholders - all alcoholic beverages		\$3,000.00	Minimum
Minimum (one-day all alcohol/wine and malt)	\$75.00		Full cost
Alcohol innholder/rooms only	\$1,300.00		Minimum
Common victualler (miscellaneous)	\$125.00		
Innholders*	\$125.00		
Alcohol license modification	\$500.00		
Automatic amusement (miscellaneous)	\$125.00		
Weekday amusement (miscellaneous)	\$125.00		
Entertainment	\$125.00		
Miscellaneous (billiard/bowling)	\$125.00		
Miscellaneous (Class I)	\$125.00		
Miscellaneous (Class II)	\$125.00		
Miscellaneous (Class IV)	\$125.00		
Miscellaneous (boardinghouse)	\$125.00		
Auctioneer	\$85.00		
One-day auctioneer	\$85.00		
Junk dealer	\$85.00		
Taxi/limousine	\$85.00		
Transient vendor	\$480.00		
Fortune teller	\$85.00		

B. Animal Control. [Amended 11-7-2012 by Bylaw Amendment 12-694]

Service Fee	FY04 Rate	FY13 Rate
Kennel – boarding	\$20.00 per day after first 24 hours	\$25.00 per day
Pickup	\$45.00	\$50.00

¹ Editor's Note: Subsequent amendments to this Appendix noted where applicable.

FRANKLIN CODE

C. Assessors. [Amended 4-15-2009 by Bylaw Amendment 09-631]

Service Fee	FY04 Rate	FY09 Rate	Service Category
Certified list of abutters		\$20.00	Full cost
Property record cards	\$1.00		Full cost
Maps	\$1.00		Full cost
Copies per page	\$0.25		Full cost
Abatements	—		Waived
Rollbacks	\$100.00		Full cost

D. Clerk. [Amended 4-15-2009 by Bylaw Amendment 09-631; 11-7-2012 by Bylaw Amendment 12-694]

Service Fee	FY04 Rate	FY09 Rate	FY13 Rate	Service Category
Certified copy - long	\$6.00			Full cost
Certified copy - short	\$4.00			Full cost
Marriage intentions notice		\$25.00		Full cost
Dog registration		\$15.00 - \$20.00		Full cost
Late dog fee		\$25, plus license fee		Minimum
Kennel license				
Four dogs or fewer			\$25.00	
Five to 10 dogs			\$50.00	
11 or more dogs			\$100.00	
Recording, filing, amending	\$12.00			Full cost
Pole location	\$50.00 plus \$5.00 per pole			Minimum
Code supplement	\$50.00			Discounted
Zoning/subdivision books	\$30.00			Full cost
Street listings		\$20.00 - \$25.00		Discounted
Business certificates	\$40.00			Full cost
Maps	\$4.00			Minimum
Underground storage tanks license renewal		\$100.00		Full cost
Hazardous materials	\$50.00	\$100.00		Full cost
Research/genealogical		\$20.00 per hour		Full cost

E. Conservation.

Service Fee	FY04 Rate
Permit request for determination (RFDA)	

FEES

Service Fee	FY04 Rate
SFH	—
New	—
Addition to existing	—
ANRAD	—
Permit, NOI	
SFH	\$100.00
Minor (pools, patios, swingsets, fences additions, utility work) (not qualifying for minor buffer zone regulation)	\$25.00
Subdivisions	Base fee: \$500.00.
	Infrastructure in BZRA:
	Roads: 2 per 1 foot
	Drainage: \$0.50 per square foot
	Resource area disturbance:
	BVW/IWL: \$0.50 per square foot
	Floodplains: \$0.20 per square foot
	Homes (SFH): If proposed as part of subdivision, \$125.00*.
	If not proposed as part of subdivision, see multiple dwellings.
Multiple dwellings (including dwellings in a subdivision plan)	\$100.00 per unit in jurisdiction of \$0.50 per square foot wetland disturbed and \$0.02 per square foot floodplain disturbed and \$0.02 per square foot resource area impact (Local Chapter 181), whichever is greater.
Minor projects	—
Commercial/industrial	Base fee: \$500.00
	Infrastructure in BZRA:
	Roads: \$2.00 per 1 foot
	Drainage: \$0.50/per square foot
	Resource area disturbance:
	BVW/IWL: \$0.50 per square foot
	Floodplains: \$0.20 per square foot
	Buildings: \$125.00
Infrastructure	—
Parking lot	—
Limited projects	—
Driveway SFH	—
Any point discharge	—
Grading and site preparation	—
Improvements (landscaping/maintenance)	—
Permit, abbreviated NOI	

FRANKLIN CODE

Service Fee	FY04 Rate
SFH less than 1,000 square feet	\$25.00 plus \$1.00 per linear foot of roadway or driveway within jurisdiction
Other	\$25.00
Permit, permit extensions	
SFH/minor project	\$25.00
Other projects	\$25.00
Permit, certificate of compliance	
Residential	\$25.00
Commercial/industrial	\$25.00
Reinspection(s)	\$25.00
Permit, refile of project denied within 3 years	Original fee or \$1,000.00, whichever is less
Permit, control of nuisance vegetation (10.53(4))	\$50.00
Permit, enforcement order	—
Permit, bank closing letter	\$50.00
Permit, minor amendment	—
Permit, major amendment	—
Permit, change of plan review	—
Permit, informal plan review	—
NOTES:	
* Provides an incentive to NOIs for individual homes. Gives Conservation Commission more control on individual lots. Also efficient certificate of compliance processing for staff and Registry of Deeds	

F. Fire. [Amended 4-15-2009 by Bylaw Amendment 09-631]

Service Fee	FY04 Rate	FY09 Rate	Service Rate Category
Ambulance fees			
Airway management (intubation) - ALS		\$150.00	Full cost
ALS 1 base rate		\$710.00	Full cost
ALS 2 base rate		\$860.00	Full cost
BLS base rate		\$495.00	Full cost
Response, treatment - no transport		\$250.00	Full cost
Cardiac monitoring	\$175.00		Full cost
Defibrillation - BLS		\$150.00	Full cost
Defibrillation - ALS		\$175.00	Full cost
Extra attendant - ALS/BLS	\$180.00		Full cost
IV therapy/drug administration - ALS	\$150.00		Full cost
Mileage		\$17.00	Full cost
Oxygen		\$75.00	Full cost
BLS disposable supplies		\$75.00	Full cost
ALS disposable supplies		\$100.00	Full cost

FEES

Service Fee	FY04 Rate	FY09 Rate	Service Rate Category
Building plan review			
Assembly uses	\$150.00		Full cost
Business uses	\$50.00		Full cost
Educational uses	\$100.00		Full cost
Factory and industrial uses	\$100.00		Full cost
High hazardous uses	\$200.00		Full cost
Institutional uses	\$100.00		Full cost
Mercantile uses	\$100.00		Full cost
Residential - hotels (R1)	\$150.00		Full cost
Residential – multifamily (R2)	\$100.00		Full cost
Residential - one- and two-family	\$65.00		Full cost
Residential - single-family	\$35.00		Full cost
Storage uses	\$50.00		Full cost
Utility, miscellaneous uses	\$50.00		Full cost
False alarm fee. Fee to be assessed after the third false alarm within 30 days.	\$375.00		
Fire alarm connection/programming	\$130.00		Full cost
Fire alarm inspections			
Less than 3,000 square feet	\$45.00		
3,001 square feet to 10,000 square feet	\$60.00		
10,000 to 20,000 square feet	\$95.00		
20,000 to 30,000 square feet	\$175.00		
30,000 square feet or more	\$175.00		
Additional detail personnel may be required at the discretion of the Fire Chief			
Repeat inspections will require one-half the inspection fee			
Fire permits			
Blasting permits. Detail personnel shall be required for more than 2 blasts within an eight-hour day.	\$45.00		
Bonfires and burning Christmas trees. Detail personnel shall be required at the discretion of the Fire Chief	\$10.00		
Bowling pin and lane refinishing	\$10.00		
Cannon and mortar firing. Detail personnel shall be required at the discretion of the Fire Chief	\$45.00		
Cellulose nitrate film	\$110.00		
Combustible fibers	\$110.00		
Compressed natural gas (CNG)	\$110.00		

FRANKLIN CODE

Service Fee	FY04 Rate	FY09 Rate	Service Rate Category
Covered mall buildings	\$45.00		
Crop ripening or color processing	\$110.00		
Cutting and welding. Detail personnel shall be required at the discretion of the Fire Chief	\$45.00		
Dust explosion prevention	\$110.00		
Explosives	\$45.00		
Fire protection equipment - modification	\$60.00		
Fire protection systems – new installation	See fire alarm inspections		
Fireworks displays. Detail personnel shall be required at the discretion of the Fire Chief	\$110.00		
Fireworks manufacture, storage and handling	\$210.00		
Flammable and combustible liquids			
11 to 20 gallons	—		
21 to 100 gallons	\$75.00		
101 to 500 gallons	\$150.00		
500 to 1,000 gallons	\$300.00		
1,001 to 5,000 gallons	\$450.00		
5,000 to 10,000 gallons	\$600.00		
10,000 gallons or more	\$750.00		
Flammable and combustible gases			
Less than 3,000 cubic feet	—		
3,001 to 6,000 cubic feet	\$75.00		
6,000 to 9,000 cubic feet	\$150.00		
9,001 to 12,000 cubic feet	\$300.00		
12,001 to 15,000 cubic feet	\$450.00		
More than 15,000 cubic feet	\$600.00		
Flammable solids			
0 to 20 pounds	—		
21 to 100 pounds	\$75.00		
101 to 500 pounds	\$150.00		
500 to 1,000 pounds	\$300.00		
1,001 to 5,000 pounds	\$450.00		
5,000 to 10,000 pounds	\$600.00		
10,000 gallons or more	\$750.00		
Fuel transfer operations - service stations	\$75.00		
Fumigation and insecticidal fogging	\$10.00		
Hazardous substances left unattended	—		

FEES

Service Fee	FY04 Rate	FY09 Rate	Service Rate Category
Limited special effects. Detail personnel shall be required at the discretion of the Fire Chief	\$110.00		
LP gas	\$45.00		
Lumberyards	\$110.00		
Matches	\$45.00		
Model rockets	\$45.00		
Oil-burning equipment	\$45.00		
Open air fires	-		
Ovens and furnaces	\$45.00		
Rubbish containers	\$45.00		
Salamanders	\$55.00		
Special seasonal decorations	\$60.00		
Storage, combustible materials	See storage of flammable liquids, solids and gases		
Tank vehicles parked overnight	\$55.00		
Tanks and containers	See storage of flammable and combustible liquids and gases		
Tank removal	\$75.00		
Tar kettles on roofs	\$45.00		
Tire recapping and rebuilding plants	\$210.00		
Tire storage	\$75.00		
Torches and heat-producing devices	\$45.00		
Transportation of combustible liquids (tank truck)	\$75.00		
Fire protection equipment testing	\$35.00		
Fire reports	\$10.00		
Quarterly and annual inspections	\$65.00		
Site plan review			
Site plan review	\$50.00		
Amended site plan review	\$25.00		
Vehicle accidents – fire apparatus response	\$135.00		

G. Health. [Amended 4-15-2009 by Bylaw Amendment 09-631; 7-18-2012 by Bylaw Amendment 12-688; 6-18-2014 by Bylaw Amendment 14-736]

Service Fee	FY06 Rate	FY09 Rate	FY13 Rate	FY15 Rate	Service Category
Bakery	\$100				Discounted
Biotech application	\$600				Full cost

FRANKLIN CODE

Service Fee	FY06 Rate	FY09 Rate	FY13 Rate	FY15 Rate	Service Category
Biotech annual renewal	\$464				Full cost
Body art establishment			\$150		Full cost
Body art operator			\$60		Full cost
Bottling	\$63				Full cost
Camps - day	\$100				Discounted
Camps - residential	\$100				Discounted
Catering - establishment	\$100				Discounted
Catering - One-day	\$50				Discounted
Ch. 11 housing certification	\$100				Discounted
Ch. 21E site assessment	\$100				Full cost
Cleaners/laundromat			\$30		Full cost
Demolition permit			\$60		Full cost
Disposal of garbage/offal	\$45				Full cost
Disposal works installer			\$100		Full cost
Food retail establishment	\$100				Discounted
Food service establishment					Discounted
1 to 49 seats			\$150		Full cost
50 plus seats			\$175		Full cost
Frozen desserts			\$60		Full cost
Funeral director			\$25		Full cost
Grocery store - greater than 10,000 square feet			\$250		Full cost
Infectious waste disposal	\$50		\$50		Full cost
Keeping of animals permit			\$25		Full cost
Manicure establishment			\$150		Full cost
Milk pasteurizer			\$20		Full cost
Milk trucks			\$20		Full cost
Milk/cream store			\$40		Full cost
Mobile food vehicle	\$100				Discounted
Motel	\$100				Full cost
Outdoor wood-burning boiler		\$100			
Perc testing/soil testing				\$200	Minimum
Septic plan review/inspections	\$225				Full cost
Repair				\$250	
New				\$350	
Additional fee if pump system				\$100	
Additional fee with innovative/alternative system					

FEES

Service Fee	FY06 Rate	FY09 Rate	FY13 Rate	FY15 Rate	Service Category
Repair				\$125	
New				\$200	
Additional fee if retaining wall				\$50	
Design plan revision, 1st, subsequent revision					
Repair				\$75	
New				\$125	
Septic system inspections–N/C 1st 3					
Repair				\$50	
New				\$100	
Emergency repair				\$75	
Commercial					
Over 1,000 gallons per day				\$400 plus \$25 per 1,000 gallons plus additional \$150 for pump system, I/A system	
Private well			\$125	\$125	Full cost
Recycling permit	\$100			\$100	Full cost
Septic repair (minor)/alteration				\$75	Full cost
Stable permit	\$45				Full cost
Swimming pool	\$50				Discounted
Tanning parlor			\$150		Full cost
Trench		\$25			
Household hazmat collection	\$10				Discounted

H. Inspection. [Amended 4-15-2009 by Bylaw Amendment 09-631; 3-7-2012 by Bylaw Amendment 12-679]

Service Fee	FY09 Rate	FY12 Rate	Service Category
Building permit	Minimum \$40 or:		Full cost
Residential	\$9 per \$1,000 value		Full cost
Commercial	\$10 per \$1,000 value		Full cost
Failure to obtain permit	Triple fee		Full cost
Trench permit			Full cost
Periodic inspection			
To 4,000 square feet	\$150		Full cost
4,000 or more square feet	\$300		Full cost
Photovoltaic solar panel systems			

FRANKLIN CODE

Service Fee	FY09 Rate	FY12 Rate	Service Category
One to 100		\$2 per panel	Full cost
101 to 5,000		\$1.50 per panel	Full cost
5,000 +		\$1 per panel	Full cost
Electrical permits - residential			
New dwelling	\$150		Full cost
New condominium (up to 3 units; 4 or more requires commercial permit)	\$150 per each unit		Full cost
In-ground pool	\$60		Full cost
Above-ground pool	\$60		Full cost
Hot tub	\$60		Full cost
Burglar alarm	\$60		Full cost
Smoke alarm	\$60		Full cost
Air-conditioning unit	\$60		Full cost
Irrigation	\$60		Full cost
Old work/new work			
1 - 5 devices (smoke detectors, receptacles, switches, oil/gas burner, water heater, electric heater)	\$50		Full cost
6 plus devices	\$75		Full cost
Replace cable service	\$50		Full cost
Temporary service	\$50		Full cost
Sub panel (extra)	\$50		Full cost
Service change (electrical only): single-family/two-family/triple	\$50/\$80/\$140		Full cost
Failure to obtain permit	Triple fee		Full cost
Electrical permits - commercial			
New, addition, alteration	\$200 plus \$0.006 per square foot		Full cost
Low-voltage wiring	\$150		Full cost
Data cable and telephone	\$130		Full cost
Fire and burglar alarms (new)	\$130		Full cost
Generators	\$130		Full cost
Service upgrade new and old	\$130		Full cost
Ansul system	\$130		Full cost
Old work:			
1 - 5 devices (smoke detectors, signs, water heaters, receptacles, switches, oil/gas burner, electric heater)	\$75		Full cost

FEES

Service Fee	FY09 Rate	FY12 Rate	Service Category
6 - 25 devices (more than 25 = new fees)	\$125		Full cost
Reinspection	\$45		Full cost
Traffic lights	\$125		Full cost
Streetlight poles	\$85 per pole		Full cost
Temporary service	\$85 per pole		Full cost
Yearly maintenance service	\$200		Full cost
Carnivals	\$100		Full cost
After-hours inspection (plus permit fee)	\$200		Full cost
Failure to obtain permit	Triple fee		Full cost
Plumbing permits - residential			
Failure to obtain permit	Triple fee		Full cost
Reinspection	\$40		Full cost
Underground	\$30		Full cost
New dwelling (house or addition)			
Up to 10 fixtures	\$200		Full cost
11 fixtures and over	Permit plus \$7 each additional		Full cost
New/old remodel/renovate			
Up to 3 fixtures	\$100		Full cost
4 fixtures and over	Permit plus \$15 each additional		Full cost
New water heater (plus: gas permit, electric permit, oil permit (Fire Department) as applicable)	\$50		Full cost
Plumbing permits - commercial			
Failure to obtain permit	Triple fee		Full cost
Reinspection	\$45		Full cost
Underground (if pulled alone otherwise/fixture rate)	\$50 per inspection		Full cost
New work			
For 1 fixture	\$75		Full cost
Each additional fixture over 1	\$15		Full cost
Old work			
Up to 3 fixtures	\$75		Full cost
Each additional fixture over 3	\$15		Full cost
Yearly maintenance	\$200		Full cost
Gas permits - residential			
New work, alterations, replacements			
Up to 3 appliances	\$75		Full cost

FRANKLIN CODE

Service Fee	FY09 Rate	FY12 Rate	Service Category
Each additional appliance over 3	\$15		Full cost
Gas permits - commercial			
New work, alterations, replacements			
Up to 3 appliances	\$100		Full cost
Each additional appliance over 3	\$15		Full cost
Gas water heater			
New (plus plumbing permit)	\$42		Full cost
Replacement (no gas permit fee but need plumbing permit)			Full cost
Gas boiler (considered an appliance)			Full cost
Hot air furnace (considered an appliance)			Full cost
Scales			
Over 10,000 pound	\$110		Full cost
5,000 to 10,000 pounds	\$66		Full cost
1,000 to 5,000 pounds	\$33		Full cost
10 to 100 pounds	\$22		Full cost
Under 10 pounds	\$16.50		Full cost
Weights (all types)	\$1.10		Full cost
Measuring devices			
Gasoline meters (each)	\$22		Full cost
Vehicle tank	\$55		Full cost
Bulk storage	\$82.50		Full cost
Taxi meters	\$27.50		Full cost
Fabric measures	\$22		Full cost
Cordage measures	\$22		Full cost
Linear measures	\$11		Full cost
Other devices			
Reverse vending	\$11		Full cost
Automatic retail checkout systems (2 years)			
Less than 4 units	\$82.50		Full cost
4 units to 11 units	\$165		Full cost

FEES

I. Planning. [Amended 4-15-2009 by Bylaw Amendment 09-631; 11-2-2011 by Bylaw Amendment 11-665]

Service Fee	FY11 Rate	Service Category
Approval not required (81 P)	\$150	Full cost
Approval not required (81 P) with new buildable lots proposed	\$350	Full cost
Preliminary plan	\$700, 1 to 5 lots, plus \$100 each additional lot	Full cost
Definitive plan	\$2 per linear foot of roadway; \$800 minimum	Full cost
Planning Board special permit	\$750	Full cost
Bond release (estimate)	\$500	Full cost
Bond release (reduction)	\$500	Full cost
Site plan		Full cost
Up to 9,999 square feet of impervious coverage	\$1,500	
10,000 - 24,999 square feet of impervious coverage	\$2,500	
25,000 - 50,000 square feet of impervious coverage	\$4,000	
Over 50,000 square feet	\$4,000, plus \$100 per each 10,000 square feet of impervious coverage over 50,000 square feet	
Limited site plan	\$500	Full cost
Subdivision modification application	\$750	Full cost
Review fees		
Independent consultant review fees	Determined by inspection consultant; due before issuance of decision by Planning Board	Full cost
Construction inspection fee		
Subdivision	Determined by inspection consultant; due before or at time of preconstruction meeting	Full cost
Site plan	Determined by inspection consultant; due before or at time of preconstruction meeting	Full cost

J. Police. [Amended 6-6-2012 by Bylaw Amendment 12-684]

Service Fee	FY04 Rate	FY13 Rate	Service Category
Parking			
Parking meters	\$0.50 for 120 minutes;		

FRANKLIN CODE

Service Fee	FY04 Rate	FY13 Rate	Service Category
	\$0.10 for 24 minutes;		
	\$0.05 for 12 minutes		
Downtown employee municipal lot		\$180 for 6 months	Minimum
Commuter rail municipal parking	\$120 quarterly		
FID permit	\$25		
Hackney license	\$25		
Pistol permit	\$25		
MVA reports	\$5 for 6 pages; \$0.50 each additional		
Incident/miscellaneous	\$1 per page		
Work permit	\$10		

K. Public Works. [Amended 2-1-2006 by Bylaw Amendment 06-584; 5-3-2006 by Bylaw Amendment 06-585; 5-2-2007 Bylaw Amendment 07-605; 5-21-2008 by Bylaw Amendment 08-621; 4-15-2009 by Bylaw Amendment 09-631; 2-10-2010 by Bylaw Amendment 10-641; 6-15-2011 by Bylaw Amendment 11-662; 4-4-2012 by Bylaw Amendment 12-680; 7-18-2012 by Bylaw Amendment 12-688; 4-4-2013 by Bylaw Amendment 13-700; 12-4-2013 by Bylaw Amendment 13-724; 4-16-2014 by Bylaw Amendment 14-731; 6-10-2015 by Bylaw Amendment 15-747]

Service Fee	FY07 Rate	FY09 Rate	FY10 Rate	FY11 Rate	FY12 Rate	FY16 Rate	Service Category
Street excavations						\$310	Minimum
Trench		\$25					Full cost
Map sales						\$15	Full cost
Beaver Street Recycling Center (sticker fee) - Annual						\$25	Minimum
Beaver Street Recycling Center (sticker fee) – 14 days from the time of purchase						\$10	Minimum
ABC (asphalt, brick, concrete)	\$10 per load	\$10 per load	\$10 per load	\$10 per load	\$10		Minimum
CRTs (computer monitors)	\$15 each	\$15 each	\$15 each	\$15 each	\$15 each		Minimum
Televisions							
Up to 25 inches			\$15 each	\$15 each	\$15		Minimum
26 inches and up			\$15 each	\$25 each	\$25		Minimum
Freon containing items		\$15 each	\$15 each	\$15 each	\$15		Minimum

FEES

Service Fee	FY07 Rate	FY09 Rate	FY10 Rate	FY11 Rate	FY12 Rate	FY16 Rate	Service Category
Appliance			No charge	No charge	No charge		Minimum
Grills							
Small (table top)			No charge	No charge	No charge		Minimum
Large			No charge	No charge	No charge		Minimum
Microwave							
Small (countertop)			No charge	No charge	No charge		Minimum
Large			No charge	No charge	No charge		Minimum
Mattresses and box springs						\$10	
Carpeting – 4-inch rolls, 24-inch diameter						\$10	
Large rigid plastic			No charge	No charge	No charge		Minimum
Antifreeze				No charge	No charge		Minimum
Auto batteries				\$3	\$5		Minimum
Books				No charge	No charge		Minimum
Electronics				No charge	No charge		Minimum
Brush/yard waste				No charge	*See below		Minimum
Cardboard				No charge	No charge		Minimum
Paper				No charge	No charge		Minimum
Commingle containers				No charge	No charge		Minimum
Mercury				No charge		No charge	Minimum
Oil				No charge	No charge		Minimum
Hazardous waste						\$5 per gallon; \$5 per 10 lb	
Rechargeable batteries				No charge	No charge		Minimum
Propane tanks (20 pounds only)	\$3 each	\$3 each	\$3 each	\$3 each	\$5		Minimum
Tires (all sizes)	\$3 each	\$5	\$5	\$5	\$5		Minimum

FRANKLIN CODE

Service Fee	FY07 Rate	FY09 Rate	FY10 Rate	FY11 Rate	FY12 Rate	FY16 Rate	Service Category
Clothing				No charge	No charge		Minimum
Sink				No charge	\$10		Minimum
Toilet				No charge	\$15		Minimum
Tub/shower				No charge	\$20		Minimum
Styrofoam				No charge	No charge		Minimum
*Yard waste per registered vehicle and/or trailer							
Car, pickup truck, van or trailer under 4 x 8 without sides				No charge	No charge		Minimum
Pickup truck with extended sides				No charge	\$25		Minimum
Trailer (over 4 x 8) or enclosed cargo trailer)				No charge	\$25		Minimum
Curbside trash (annual)	\$300	\$244	\$244	\$220	\$220		Utility
Fee using 65-gallon trash cart						\$200	Utility
Fee using 35-gallon trash cart						\$180	Utility
Extra trash cart annual fee				\$150	\$150		Utility
Extra recycling cart annual fee				\$75	\$75		Utility
Extra recycling cart business annual fee				\$100	\$100		Utility
Overflow bag				\$3	\$3		Utility
Special curbside collection (sticker fees)							
Television							
Up to 25 inches		\$25	\$25	\$25	\$25		Minimum
26 inches and up		\$25	\$25	\$35	\$35		Minimum
Freon appliance		\$25	\$25	\$30	\$30		Minimum
Appliance (nonfreon)		\$25	\$25	\$25	\$25		Minimum
Grills					\$25		
Brush/yard waste (four times per year)				No charge	No charge		Minimum
Service change fee	\$1						Utility
Water main tap						\$425	Full cost
Water service renewal						\$180	Full cost

FEES

Service Fee	FY07 Rate	FY09 Rate	FY10 Rate	FY11 Rate	FY12 Rate	FY16 Rate	Service Category
Water/sewer extension permit						\$20	Full cost
Water connection						\$215	Minimum
Water reconnection	\$49						Full cost
Final meter reading						\$60	Minimum
Sewer connection	\$310						
Water turnoff – operating hours						\$40	Full cost
Water turnoff – after hours						\$255	Full cost
Water Map amendment						\$310	Full cost
Fire service (sprinkler) connection						\$215	Full cost
Hydrant flow test						\$105	Full cost
Backflow inspection						\$105	Full cost
Sewer Map amendment						\$310	Full cost
Sewer service renewal						\$180	Full cost
Sewer main tap						\$215	Full cost
Sewer inflow/infiltration removal (to be removed, less a credit up to the amount of the sewer entry fee, if any, paid at time of application)	\$6 per gallon						Utility
Sprinkler/hydrant	\$500						Utility
Water system entry	\$2,440						Utility
Sewer system entry	\$2,440						Utility
Drain layers license (new – 2 years)						\$110	Full cost
Drain layers license (renewal – 2 years)						\$55	Minimum
Public way access permit						\$90	Full cost

L. Treasurer. [Amended 4-15-2009 by Bylaw Amendment 09-631]

Service Fee	FY04 Rate	FY09 Rate	Service Category
Municipal liens		\$50	Full cost
Demand notice		\$10	Per state law
Redemption	\$165		Full cost
Duplicate bill fee	\$2		Full cost
Tax taking	\$125		Full cost
Electronic tax file fee	\$250		Full cost

FRANKLIN CODE

M. Recreation. [Amended 4-15-2009 by Bylaw Amendment 09-631; 7-18-2012 by Bylaw Amendment 12-688]

Service Fee	FY10 Rate	FY13 Rate	Service Category
Active recreation programs	\$5 to \$200 per participant	\$5 to \$200 per participant	Full cost
Passive recreation programs	\$5 to \$200 per participant	\$5 to \$200 per participant	Full cost
Adult programs	\$5 to \$200 per participant	\$5 to \$200 per participant	Full cost
Chilson Beach		\$10 per day per car/ \$75 season pass/ seniors pay half price/ price reduced halfway through swim season	Full cost
Swimming lessons		\$75 to \$150 per participant	Full cost
Field rental fee (for-profits)		\$75 per hour for grass fields; \$100 per hour for turf fields; Town Administrator sets the rate for all field rentals	Full cost
Facilities permit fee (nonprofits)	Electrical fees apply to groups using lighted fields.	\$50 per hour; electrical fees apply to groups using fields with lights	Full cost

N. COA. [Amended 7-18-2012 by Bylaw Amendment 12-688]

Service Fee	FY10 Rate	FY13 Rate	Service Category
Recreational trips	\$2 each way to towns bordering Franklin and Milford; \$5 each way to all other	\$2 each way to towns bordering Franklin and Milford; \$5 each way to all other	Discounted
Computer classes		\$15 registration fee	Full cost
Social events		\$6 per person	Full cost
Supportive day program		\$35 per day	Discounted

FEEES

O. Library. [Amended 4-15-2009 by Bylaw Amendment 09-631]

Service Fee	FY04 Rate	FY09 Rate	Service Category
Overdue materials		Up to \$1 for books and up to \$5 for videos and DVDs	Minimum
Replacement cards		\$2	Full cost
Reader printer	\$0.10		Full cost
Printing pages	\$0.10		Full cost

FEES

82 Attachment 2

Town of Franklin

Appendix B¹

Utility Service Rates

[Added 8-1-2001 by Bylaw Amendment 01-473;
amended 6-19-2002 by Bylaw Amendment 02-503;
3-15-2006 by Bylaw Amendment 06-586; 5-7-2008
by Bylaw Amendment 08-620; by Bylaw Amendment 09-633; 9-14-2011 by Bylaw
Amendment 11-663; by Bylaw Amendment 11-664]

Effective for bills issued after June 30, 2012, sewer usage and water usage rates shall be as follows:

CCF	Water Usage
	Rate 6-30-2012
0 – 15	\$5.25
16 – 40	\$5.50
41+	\$6.45

CCF	Sewer Usage	
	Rate 6-30-2012	Rate 6-30-2013
0 – 15	\$4.15	\$5.00
16 – 40	\$4.40	\$5.30
41+	\$5.10	\$6.10

Sewer usage for residences without municipal water: \$125 per quarter/2012 and \$150 per quarter/2013.

¹Editor's Note: Former Appendix B, Planning and Health Services, added 8-25-1993 by Bylaw Amendment 93-247, as amended, was repealed 3-15-1995 by Bylaw Amendment 95-285.

FEES

82 Attachment 3

Town of Franklin

Appendix C

Other Service Fee Rates

**[Added 6-20-1994 by Bylaw Amendment 94-264; amended in its entirety
12-20-1995 by Bylaw Amendment 95-306]**

The following fees shall remain in effect, unless otherwise amended; whereupon they will be, without further amendment, placed in Appendix A, List of Service Fee Rates:

Department	Service	Fee
Animal control	Kennel	\$15 per day after first 24 hours
Animal control	Dog pickup	\$45 per pickup
Administration [Added 9-2-1998 by Bylaw Amendment 98-386]	Public way access permit	\$150

Side-by-side comparison

NOTES:

1. Planning, Council on Aging and Treasurer have no proposed fee increases or amendments to the bylaw and are not reflected in this chart.
2. The new fee categories and rates are in red.
3. To keep this side-by-side chart somewhat legible, we cut out large chunks of the bylaw where fees are being proposed to stay the same in order to keep the chart a little shorter.

A. Administration

Service Fee	Current Rate	New Rate	Change
Club/Wine Malt	\$750.00	\$750.00	
Liqueurs and cordials	\$900.00	\$900.00	
Package – Wine & Malt	\$1,500.00	\$1,500.00	
Common victualler – wine and malt	\$1,500.00	\$1,500.00	
Club/All alcohol	\$1,750.00	\$1,750.00	
Package – all alcohol	\$2,500.00	\$2,500.00	
Common victualler – all alcohol	\$2,500.00	\$2,500.00	
Innholder – all alcohol	\$3,500.00	\$3,500.00	
One-Day (all alcohol or wine and malt)	\$75.00	\$75.00	
Alcohol innholder/rooms only	\$1,300.00	\$1,300.00	
Common victualler	\$125.00	\$125.00	
Innholders	\$125.00	\$125.00	
Farmer & Wine Brewery			New
Alcohol license modification	\$500.00	\$500.00	
Automatic amusement	\$125.00	\$125.00	
Weekday amusement	\$125.00	\$125.00	
Entertainment	\$125.00	\$125.00	
Billiard/Bowling	\$125.00	\$125.00	
Class I	\$125.00	\$125.00	
Class II	\$125.00	\$125.00	
Class IV	\$125.00	\$125.00	
Boardinghouse	\$125.00	\$125.00	
Auctioneer	\$85.00	\$85.00	
One-Day Auctioneer	\$85.00	\$85.00	
Junk dealer	\$85.00	\$85.00	
Taxi/limousine	\$85.00	\$85.00	
Transient vendor	\$480.00	\$480.00	
Fortune Teller	\$85.00	\$85.00	
Public Way Access Permit	\$150.00	\$150.00	Merged from Appendix C

B. Animal Control

Service Fee	Current Rate	New Rate	Change
-------------	--------------	----------	--------

Kennel - Boarding	\$20.00 per day after the first 24 hours	\$25.00 per day after the first 24 hours	\$5.00; Merged from Appendix B
Pickup	\$50.00	\$50.00	

C. Assessors

Service Fee	Current Rate	New Rate	Change
Certified list of abutters	\$20.00	\$25.00	\$5.00
Property record cards	\$1.00	Delete	Delete
Maps	\$1.00	Delete	Delete
Copies per page	\$.25	Delete	Delete
Rollbacks	\$100.00		

D. Conservation

NOTE: Reorganized fee schedule to eliminate or consolidate 28 fee categories, thus some changes here reflect a consolidation of fees.

Service Fee	Current Rate	New Rate	Change
Permit request for determination (RFDA)	\$0	\$100.00	\$100.00
Minor Buffer Zone Permit (MBZP)	\$0	\$50.00	\$50.00
Abbreviated Natural Resources Area Determination (ANRAD)	\$0	\$.50 per linear foot, per resource area	\$.50 per linear foot, per resource area
Notice of Intent (NOI) Permit			
Single Family Home (SFH), Base Fee	\$100.00	\$200.00	\$100.00
Single Family Home (SFH), all accessory projects	\$25.00	\$50.00	\$25.00
Subdivisions, Base Fee:	\$500.00	\$600.00	\$100.00
Subdivisions, Roads:	\$2 per foot	\$2 per foot	
Subdivisions, Drainage:	\$.10/per square foot	\$10/per structure	Varies
Subdivisions, Resource Area Disturbance:	Varies	\$.50/square foot	Varies
Multiple Dwellings, Base Fee:	Varies	\$100.00/per unit within jurisdiction	Varies
Multiple Dwellings, Resource Area Disturbance	Varies	\$.50/per square foot	Varies
Commercial/Industrial, Base Fee:	\$500.00	\$600.00	\$100.00
Commercial/Industrial, Roads:	\$2 per foot	\$2 per foot	
Commercial/Industrial, Drainage:	\$.10/per square foot	\$10/per structure	Varies
Commercial/Industrial, Resource Area Disturbance:	Varies	\$.50/square foot	Varies
All Improvements (landscaping/maintenance)	\$0	\$100.00	\$100.00
Permit, time extensions			
Single Family Home or accessory project	\$25.00	\$50.00	\$25.00
Other projects	\$25.00	\$50.00	\$25.00

Permit, certificate of compliance			
Residential	\$25.00	\$50.00	\$25.00
Commercial/industrial	\$25.00	\$50.00	\$25.00
Re-inspection	\$25.00	\$50.00	\$25.00
Permit, control of nuisance vegetation	\$50.00	\$100.00	\$50.00
Permit, Permit status letter for financial institutions	\$50.00	\$100.00	\$50.00
Permit, project amendment	\$0	\$100.00	\$100.00

E. Council on Aging

No fee increases.

F. Fire

NOTE: Consolidated or eliminated 11 fees or categories. NOTE: This side by side chart only depicts fees in Fire that are proposed to increase or change. The vast majority of Fire Department fees are not being proposed to increase or alter.

Service Fee		Current Rate	New Rate	Change
Ambulance Fees				
	ALS Base Rate 1	\$710.00	\$1,376.00	\$666.00
	ALS Base Rate 2	\$860.00	\$1,990.00	\$1,130.00
	BLS Rate	\$495.00	\$1,159.00	\$664.00
	Response treatment, no support	\$250.00	\$935.00	\$685.00
	Cardiac monitoring	\$175.00	\$175.00	
	Extra Attendant – ALS/BLS	\$180.00	\$265.00	\$85.00
	IV therapy/drug administration	\$150.00	\$150.00	
	Mileage	\$17.00	\$22.01	\$4.01
	Oxygen	\$75.00	\$80.00	\$5.00
	BLS disposable supplies	\$75.00	\$75.00	
	ALS disposable supplies	\$100.00	\$150.00	\$50.00
Building Plan Review				
	Commercial/Industrial	Varies	\$150.00	Consolidate 8 fees into one.
	Residential – Multifamily	\$100.00		
	Residential – one and two single family	\$65.00		
	Residential – single family	\$35.00		
	Storage uses	\$50.00		
	Utility, miscellaneous	\$50.00		
False alarm fee		\$375.00	\$300.00	(\$75.00)

G. Health

Service Fee		Current Rate	New Rate	Change
Biotech application		\$600.00		
Biotech annual renewal		\$464	\$100.00	(364.00)
Body art, establishment		\$150		

Body art, operator		\$60.00		
Bottling		\$63.00	\$75.00	\$12.00
Camps, day		\$100.00		
Camps, residential		\$100.00		
Chapter 21E site assessment		\$100.00		
Cleaners/laundromat		\$30.00	\$30.00	
Disposal of garbage, offal, septic hauler		\$45.00	\$65.00	\$20.00
Food service establishment:				
	1-49 seats	\$150.00	\$200.00	\$50.00
	50 plus seats	\$175.00	\$225.00	\$50.00
Frozen desserts		\$60.00	\$60.00	
Funeral director		\$25.00	\$25.00	
Grocery store, greater than 10,000 square feet		\$250.00	\$300.00	\$50.00
Infectious waste disposal		\$50.00	\$50.00	
Keeping of animals permit		\$25.00	\$35.00	\$10.00
Manicure establishment		\$150.00	\$150.00	
Mobile food vehicle		\$100.00	\$100.00	
Outdoor Wood burnings boiler		\$100.00	\$100.00	
Perc testing/soil testing		\$200.00	\$250.00	\$50.00
Septic plan review/inspections				
	Repair	\$250.00	\$275.00	\$25.00
	New	\$350.00	\$375.00	\$25.00
	Pump system, additional	\$100.00	\$100.00	
Innovative/alternative system				
	Repair	\$125.00	\$125.00	
	New	\$200.00	\$200.00	
	Retaining wall, additional	\$50.00	\$50.00	
Design plan revision, 1 st , subsequent revision				
	Repair	\$75.00		
	New	\$125.00		
Septic system inspections (N/C 1st 3)				
	Repair	\$50.00		
	New	\$100.00		
Commercial				

		\$400.00 Base fee, plus \$25.00 per 1,000 gallons plus an additional \$150 for pump system, I/A system	\$400.00 Base fee, plus \$25.00 per 1,000 gallons plus an additional \$150 for pump system, I/A system	
Private well		\$125.00	\$125.00	
Recycling permit		\$100.00	\$100.00	
Retail Food Establishment			\$100.00	New
Septic hauler			\$65.00	New
Septic minor repair		\$75.00	\$75.00	
Septic system installer		\$100.00	\$150.00	
Splashpad			\$50.00	New
Stable permit		\$45.00	\$50.00	\$5.00
Swimming pool/spa		\$50.00	\$50.00	
Tanning parlor		\$150.00	\$150.00	
Temporary food event			\$50.00	New
Tobacco Products Sale Permit			\$150.00	New
Trench		\$25.00	\$25.00	

H. Inspection

NOTE: Cannot complete a side-by-side chart due to the significant restructuring of the fee schedule. Current bylaw has 84 fees, proposed bylaw has 34 fee categories. See current bylaw.

I. Library

Service Fee	Current Rate	New Rate			Change
		Item	Late fee	Maximum late fee	
Overdue materials	Up to \$1 for books and up to \$5 for videos and DVD's	Books, audio CD's, audio books	.10/per day	\$5.00	See chart
		Speed readers	.10/per day	\$5.00	
		DVD's	\$1/per day	\$5.00	
		New DVD's	\$1/per day	\$5.00	
Replacement cards	\$2				Delete
Reader printer	\$.10 per page				Delete
Printing pages	\$.10 per page				Delete

J. Planning

NOTE: No proposed fee increases.

K. Police

Service Fee		Current Rate	New Rate	Change
False alarms				
	1 to 3 times		No Charge	
	Fourth		\$25 per false alarm	New, per Code 125-14
	Fifth		\$50.00	New, per Code 125-14
FID Permit		\$25.00		
Finger prints			\$20.00	New, Franklin resident
			\$50.00	New, Non-Franklin resident
Hackney license		\$25.00		
Parking Permits				
	Downtown employee municipal lot	\$180 per six months	\$180 per six months	
	Commuter rail municipal parking	\$120 per quarter	\$120 per quarter	
Pistol permit		\$25.00		
Solicitor's permit			\$100 (first person)	New
			\$20 (each add. Person)	New

L. Public Works

NOTE: This side by side chart only depicts fees in DPW that are proposed to increase. The vast majority of DPW fees are not being proposed to increase.

Service Fee	Current Rate	New Rate	Change
Water and Sewer Fees:			
Water main tap	\$425.00	\$475.00	\$50.00
Water service renewal	\$180.00	\$225.00	\$45.00
Water/sewer extension permit	\$20.00	\$20.00	
Water connection	\$215.00	\$300.00	\$85.00
Water reconnection	\$49.00	\$50.00	\$1.00
Final meter reading	\$60.00	\$75.00	\$15.00
Sewer connection	\$310.00	\$400.00	\$90.00
Water turnoff – operating hours	\$40.00	\$60.00	\$20.00
Water turnoff – after hours	\$255.00	\$300.00	\$45.00
Water map amendment	\$310.00	\$325.00	\$15.00
Fire service (sprinkler) connection	\$215.00	\$275.00	\$60.00
Hydrant flow test	\$105.00	\$125.00	\$20.00
Backflow inspection	\$105.00	Subject to public procurement, with a ten percent overhead added to the final amount	Varies

Sewer map amendment	\$310.00	\$325.00	\$15.00
Sewer service renewal	\$180.00	\$250.00	\$70.00
Sewer main tap	\$215.00	\$275.00	\$60.00
Sewer inflow/infiltration (to be removed, less a credit up to the amount of the sewer entry fee, if any, paid at the time of application)	\$6.00 per gallon	\$6.00 per gallon	
Sprinkler/hydrant	\$500.00	\$500.00	
Water system entry	\$2,440	\$2,440	
Sewer system entry	\$2,440	\$2,440	

M. Recreation

Service Fee		Current Rate	New Rate	Change
All recreation programs		\$5 to \$200.00 per participant	\$5 to \$200.00 per participant	
Chilson Beach				
	Day Fee:	\$10 per day/per car	\$10 per day/per car	
	Season Pass:	\$75.00, half price for senior citizens.	\$75.00, half price for senior citizens.	
Swimming lessons		\$75 to \$150.00	\$100 to \$200.00	\$25.00 to \$50.00
Field rental fee (for profits)		\$75.00 per hour for grass fields, \$100.00 per hour for turf fields; Town Administrator sets the rate for all field rentals	Town Administrator sets the rate for all field rentals	Eliminate specific fee language; TA sets rates annually
Facilities Permit fee (nonprofits)		\$50.00 per hour; electrical fees apply to groups using the lights.	\$50.00 per hour; electrical fees apply to groups using the lights.	

N. Town Clerk

Service Fee		Current Rate	New Rate	Change
Certified copy (First copy)		\$4.00	\$10.00	\$6.00
Certified copy (each copy thereafter)		\$6.00	\$5.00	(\$1.00)
Marriage intentions notice		\$25.00	\$25.00	
Marriage intentions notice amendment			\$10.00	New
Dog Registration				
	Before April 1 st (spayed/neutered)	\$15.00	\$20.00	\$5.00
	Before April 1 st (not spayed/neutered)	\$20.00	\$30.00	\$10.00

	After April 1 st (Late dog registration fee, spayed/neutered)	\$40.00	\$50.00	\$10.00
	After April 1 st (Late dog registration fee, not spayed/neutered)	\$45.00	\$60.00	\$15.00
Kennel license:				
	Four dogs or fewer	\$25.00	\$25.00	
	Five to ten dogs	\$50.00	\$50.00	
	11 or more dogs	\$100.00	\$100.00	
Recording, filing, amending		\$12.00	\$12.00	
Pole location		\$50.00, plus \$5.00 per pole	\$50.00, plus \$5.00 per pole	
Code supplement		\$50.00	\$75.00	\$25.00
Zoning/subdivision books		\$30.00	\$30.00	
Street listings		\$20.00 to \$25.00	\$25.00	\$5.00
Business certificates (every four years)		\$40.00	\$40.00	
Maps		\$4.00	\$5.00	\$1.00
Underground storage tank license		\$100.00	\$100.00	
Hazardous materials		\$100.00	\$100.00	
Research/genealogical		\$20.00/per hour	\$20.00/per hour	

O. Treasurer-Collector

NOTE: No proposed fee increases.

Fiscal Year 2017
 Low-Income Home Energy Assistance Program (LIHEAP)
 Income Eligibility and Benefit Levels

Family Size (# of people in the household)	100% of Federal Poverty Level	125% of Federal Poverty Level	150% of Federal Poverty Level	175% of Federal Poverty Level	200% of Federal Poverty Level	60% of Estimated State Median Income
1	\$ 11,880	\$ 14,850	\$ 17,820	\$ 20,790	\$ 23,760	\$ 34,001
2	\$ 16,020	\$ 20,025	\$ 24,030	\$ 28,035	\$ 32,040	\$ 44,463
3	\$ 20,160	\$ 25,200	\$ 30,240	\$ 35,280	\$ 40,320	\$ 54,925
4	\$ 24,300	\$ 30,375	\$ 36,450	\$ 42,525	\$ 48,600	\$ 65,387
5	\$ 28,440	\$ 35,550	\$ 42,660	\$ 49,770	\$ 56,880	\$ 75,849
6	\$ 32,580	\$ 40,725	\$ 48,870	\$ 57,015	\$ 65,160	\$ 86,311
7	\$ 36,730	\$ 45,913	\$ 55,095	\$ 64,278	\$ 73,460	\$ 88,272
8	\$ 40,890	\$ 51,113	\$ 61,335	\$ 71,558	\$ 81,780	\$ 90,234
9	\$ 45,050	\$ 56,313	\$ 67,575	\$ 78,838	\$ 90,100	\$ 92,196
10	\$ 49,210	\$ 61,513	\$ 73,815	\$ 86,118	\$ 94,157	\$ 94,157
11	\$ 53,370	\$ 66,713	\$ 80,055	\$ 93,398	\$ 96,119	\$ 96,119
12	\$ 57,530	\$ 71,913	\$ 86,295	\$ 98,081	\$ 98,081	\$ 98,081
13	\$ 61,690	\$ 77,113	\$ 92,535	\$ 100,042	\$ 100,042	\$ 100,042
14	\$ 65,850	\$ 82,313	\$ 98,775	\$ 102,004	\$ 102,004	\$ 102,004
15	\$ 70,010	\$ 87,513	\$ 103,965	\$ 103,965	\$ 103,965	\$ 103,965
16	\$ 74,170	\$ 92,713	\$ 105,927	\$ 105,927	\$ 105,927	\$ 105,927
17	\$ 78,330	\$ 97,913	\$ 107,889	\$ 107,889	\$ 107,889	\$ 107,889
Homeowners and Non-Subsidized Housing Tenants						
Deliverable Fuel (Oil, Propane, Kerosene & Other)	\$ 850	\$ 748	\$ 658	\$ 579	\$ 579	\$ 448
Utility and Heat- Included-in-Rent	\$ 710	\$ 625	\$ 550	\$ 484	\$ 484	\$ 375
High Energy Cost Supplement	\$ 100	\$ 90	\$ 80	\$ 70	\$ 70	\$ 60
Subsidized Housing Tenants						
Deliverable Fuel (Oil, Propane, Kerosene & Other)	\$ 595	\$ 525	\$ 460	\$ 405	\$ 405	\$ 315
Utility and Heat- Included-in-Rent	\$ 495	\$ 440	\$ 385	\$ 340	\$ 340	\$ 260
High Energy Cost Supplement	\$ 100	\$ 90	\$ 80	\$ 70	\$ 70	\$ 60
High Energy Cost Supplement (HECS) Thresholds - TBD						

Notes: Contact DHCD to determine income eligibility for a family of 18 and above.

Sources (Income Level): "Annual Update of the HHS Poverty Guidelines, *Federal Register* 81 No. 15 (25 Jan 2016): 4036-4037 and "State Median Income Estimates", USHHS, OCS, DEA, *LIHEAP-IM-2016-03*

July 13, 2016



Sponsor: Administration

TOWN OF FRANKLIN

BYLAW AMENDMENT 16-777

CHAPTER 151, SOLID WASTE AND RECYCLING

A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT CHAPTER 151.

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL that Chapter 151, Section 17 of the Code of the Town of Franklin is amended by striking Chapter 151-17 in its entirety:

§151-17. Lifeline rates.

- A. The rate for curbside trash collection may be discounted by a lifeline rate of 25% per quarter to residential accounts where the household income does not exceed the current maximum income eligibility guidelines for the Low Income Home Energy Assistance Program (LIHEAP) as determined by the United States Department of Health and Human Services, Administration for Children and Families.
- B. Eligibility for the Lifeline Program may be certified for a one-year period by:
 - (1) Presenting written evidence to the Town of participation in LIHEAP; or
 - (2) By certification by a Town department or other public agency that the applicant income does not exceed those current income limits based on household size.

This bylaw amendment shall become effective on and after January 1, 2017.



DATED: _____, 2016

VOTED:
UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Teresa M. Burr
Town Clerk

ABSENT _____

Judith Pond Pfeffer, Clerk
Franklin Town Council