

# **Franklin's Priority Development Sites**

## **Introduction and Pre-Application Process**

This document was developed to summarize recommended processes related to proposed development projects within the Town of Franklin's Priority Development Sites; document contents are as follows:

- A. Permitting of Priority Development Sites: An Introduction
- B. Town of Franklin's 180 Day Streamlined Permitting Guarantee
- C. Recommended Pre-Application Process

Please contact the Town of Franklin's Municipal Point of Contact (MPC) if you have questions or require more information.

Municipal Point of Contact:

Bryan W. Taberner, AICP, Director  
Planning and Community Development  
Town of Franklin  
355 East Central Street  
Franklin, MA 02038-1352  
Phone: 508-520-4907  
Fax: 508-520-4906  
Email: [btaberne@franklin.ma.us](mailto:btaberne@franklin.ma.us)

### **A. Permitting of Priority Development Sites: An Introduction**

Franklin's Priority Development Site (PDS) streamlined permitting processes expedite permit issuance by concurrent review of development applications. In order to simplify permitting of PDSs, in general the Town of Franklin utilizes the same permitting and site plan review procedures it does for non-priority development site projects, with the following exceptions:

1. All permit applications and related plans, reports, forms, certifications and related fees must be submitted concurrently to the Town's Municipal Point of Contact (MPC).
2. In addition to all applications and related documents mentioned above, the applicant must submit a detailed cover letter that explains that the applications are being submitted under the Town's expedited permitting processes for PDSs. The cover letter must include the following:
  - a. Summarized description of the proposed project;
  - b. Complete listing of all required application materials, including all plans, reports, forms, certifications and required fees, categorized by permitting authority and application;
  - c. Summarization of the reasons for and purpose of any variances, special permits or waivers being sought.
3. Once application materials are submitted to the MPC the Town has 20 days to review and determine the completeness of the application materials.
  - a. If the Town determines the application materials are incomplete the Applicant will be notified in writing by certified mail, return receipt requested, of any additional information needed, including incomplete applications, fees, reports or studies.

The resubmission of the applications or the submission of additional information required by the Town of Franklin shall commence a new 20-day period for review of the additional information.

- b. If the Town determines all application materials are complete, the Town will notify the Applicant in writing by certified mail, return receipt requested, that the 180 day period has begun. The 180 day period begins the day after the Town's issuance of a notice that the application materials are complete.
4. The Town of Franklin guarantees final decisions will be reached on all applications within 180 days of receipt of a complete application package.
5. Please note, under certain circumstances the 180 day period is subject to extension; please refer to MGL Chapter 43D and 400 CMR 2.00 for additional information.
6. If any of Franklin's permit issuing authorities fail to take final action on a permit within the 180-day period (or extended time, if applicable), said inaction shall be considered a grant of the relief requested of that authority by the Applicant.

### **B. Town of Franklin's 180 Day Streamlined Permitting Guarantee**

Expedited Permitting, as described in Massachusetts General Law Chapter 43D, was approved by Franklin Town Council in November 2008. As required by MGL Chapter 43D "Priority development permit reviews and final decisions shall be completed within 180 days". All Town of Franklin Boards, Commissions, Committees and Departments are committed to streamlining the permitting processes for commercial and industrial development projects located on parcels that have been designated as a priority development site, and to assuring decisions are reached on all required land development permits within 180 days of receipt of a "Complete Application Package".

Please note, under certain circumstances the 180 day period is subject to extension; please refer to MGL Chapter 43D and 400 CMR 2.00 or contact the Town's MPC for additional information.

### **C. Recommended Pre-Application Process**

As mentioned above the Town has very little additional requirements for permitting of PDS projects. However, the Town has developed a recommended pre-application process that applicants should follow. The purpose of the recommended pre-application process is to facilitate the permitting process by clarifying requirements, provide informal review of the Applicant's proposed project, provide the Applicant with advice, and eliminate any misunderstandings. The Town recommends the Applicant follow the following pre-application process:

**Initial Inquiry** - Applicants wishing to permit development within a priority development site should contact Franklin's Municipal Point of Contact (MPC). The Town recommends the Applicant arrange a face-to-face scheduled meeting to discuss their proposed project. Often it would be appropriate and helpful for the Applicant's attorney or engineer to attend this initial inquiry meeting. The initial inquiry meeting is intended to provide the Applicant with a list of the local land use permits likely required for the proposed development, and to *discuss in general terms* issues that could arise.

During the initial inquiry meeting the Applicant should provide a summarized description of the project, and a "conceptual plan" to facilitate discussion. The conceptual plan should be an illustrative plan showing the proposed development project on a general level and basic features (e.g., building layouts, proposed parking area configurations and general traffic flows, location of wetland resources, generalized stormwater management). The applicant is welcome

to bring detailed site plans, photographs, diagrams and reports if available, but this level of detail is not necessary. Dependent upon the complexity and scale of the proposed project, the MPC may ask additional town staff (Town Planner, Zoning Enforcement Officer) to attend the initial inquiry meeting.

At the initial inquiry meeting it is recommended the Applicant request a scoping session at a Technical Review Committee meeting, and if applicable schedule a time to appear before the Town's Economic Development Committee, or provide an informal presentation to one or more of the Town's permitting boards.

**Scoping Session with Technical Review Committee** – Applicants wishing to arrange a Scoping Session with the Town of Franklin's Technical Review Committee (TRC) will provide the MPC with a letter describing the proposed project, conceptual level plans, and a list of required local land use permits and related documents. Upon receipt of ten copies of all materials (letter, conceptual plans, and other required documentation) the MPC will coordinate with Franklin's Town Planner and schedule a time for the Applicant to present the proposed project to the TRC.

Materials submitted to the MPC will be forwarded to TRC members (and other Town staff if needed) at least three full business days in advance of the TRC meeting to give TRC members time to properly review the materials prior to the meeting. Applicants submitting the letter, conceptual plans, and other required documentation by Friday noon will be guaranteed a space on the following Wednesday's TRC agenda.

Franklin's Technical Review Committee (TRC) meets weekly each Wednesday at 3:00 p.m., and is chaired by Franklin's Town Planner. Other TRC members include Franklin's Town Administrator, Building Commissioner/Zoning Enforcement Officer, Town Engineer, Board of Health Director, Conservation Agent, Fire Chief, Town Attorney, and the Director of Planning and Community Development. Please note the Director of Planning and Community Development is the Municipal Point of Contact (MPC) for all PDS projects. Other staff (e.g., DPW Director; Safety Officer) or elected or appointed officials (e.g., Planning Board or Conservation Commission members) can be invited if their input is desired or in order to inform them of potential development projects.

The Scoping session with the TRC is intended to provide the Applicant with a detailed list of the local land use permits likely required for the proposed development, and serves as a way for relevant Town Departments to meet with Applicants regarding a proposed project to discuss technical issues. TRC members will provide advice and assistance to uncover any hidden problems, so they can be addressed prior to attending board and commission hearings.

Dependant upon the scope of the project the applicant may desire to meet with the TRC a second time or with individual Town staff (e.g., Town Engineer; Conservation Agent; Town Planner; Building Commissioner) before formal submittal of applications. These meetings can be arranged by the MPC or by contacting Town staff directly.

The Scoping session is not an application review. Because necessary permits vary based on a specific project's details, and guidance from TRC members is based on review of materials submitted by the Applicant as well as what the Applicant presents to the TRC during the scoping session, the Town can not guarantee all permit requirements and potential problems will be identified. However, Applicants that meet with TRC before formally submitting their project's permit applications to the Town's MPC should have an easier time getting through site plan review and permitting processes.

**Informal Presentation to Town Permitting Boards** - After meeting with the Technical Review Committee the Applicant may at its discretion request to do an informal presentation to the Franklin Planning Board, Conservation Commission, Zoning Board of Appeals or other Town permitting bodies. These meetings are not required of the applicant and are for informational purposes only. The Applicant coordinates these presentations with the MPC.

**Economic Development Committee** –The Economic Development Committee (EDC) meets once a month, and consists of Town Council and Planning Board members, as well as Franklin’s Town Administrator, Director of Planning and Community Development, Town Planner, and Building Commissioner. The Committee can meet more often if an issue or project requires immediate attention. The EDC makes recommendations regarding development projects and other economic development issues including rezoning, and Tax Increment Finance (TIF) agreements.

All of Franklin’s Priority Development Sites are also within one of Franklin’s Economic Opportunity Areas, and as such owners of these parcels are able to negotiate Tax Increment Finance (TIF) agreements with the Town. A TIF agreement is the most attractive development incentive that a Massachusetts community can offer businesses looking to expand or move to the area. In order for a developer to receive a TIF agreement it must have its project “Certified” by the State’s Economic Assistance Coordinating Council. Applicants seeking a TIF for a proposed development project should communicate with the MPC and the Massachusetts Office of Business Development early in the planning process.

If a developer is considering a project in one of Franklin’s Priority Development Sites where the project hinges upon tax increment financing, the project proponent must discuss the issue with Franklin’s MPC very early in the process, long before applications are submitted. Businesses seeking designation as a Certified Project are required to submit a letter of interest, and draft Certified Project Application to Franklin’s Economic Development Committee (EDC). The EDC reviews the draft Application and related documentation and negotiates an agreement with the project proponent.

Once a proposed certified project and related TIF agreement is negotiated by the EDC, the project is considered and voted upon by the Town Council. The Franklin Town Council is authorized to review and approve project proposals by Town Council Resolution, for and on behalf of the Town of Franklin.

An advisory determination or ruling made pursuant to procedures outlined above shall not constitute a decision or final action and shall not be subject to any right of administrative or judicial review.