

Economic Development Subcommittee
May 9, 2018
Minutes

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

Also in attendance: Town Administrator Jeffrey Nutting, Deputy Town Administrator Jamie Hellen, and Planner Amy Love. Attached is the sign in sheet for those who attended.

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

Clark, Cutter McDermott – Mr. Nutting provided an updated on the status of the property. Mr. Nutting said he met with the manager of the Trust and they have a potential buyer for warehouse use. The owner does not want to make any zoning changes at this time.

Commercial I Setback Changes – Councilor Hamblen recused herself from the discussion. Mr. Nutting provided an overview of draft bylaw amendment for height, setbacks and impervious changes. The Side setback in Commercial I was proposed to change from 0ft to 10ft. There was discussion about 10ft change was not necessary as the Planning Board and Fire Department will require setbacks for safety. Mr. Halligan suggested having one side requirement for 10ft setback.

The discussion moved on to the height of the buildings allowed in Commercial I & II. The proposed changes are to allow 4 stories and/or 50ft by Special Permit Planning Board. Mr. Kelly suggested 60ft as developers need the extra footage. Mr. Halligan suggested 55ft in height. Mr. Brown provided an overview of the definition of the roof top and how the height is measured. There was discussion that increasing to 60ft, would be the peak of the roof and include any ac units or utilities on the roof in the height maximum. Mr. Nutting said this is a huge increase, as we are going from the existing allowed use of 40ft to 60ft proposed. Mr. Halligan said he wanted to see this moved tonight to Town Council. Mr. Mercer said the height definition should be changed.

Motion by Councilor Jones and seconded by Councilor Earls to recommend to the Town Council (3-0-1), 60ft peak height with maximum of 5 stories, and a definition change to the height of a building. Mr. Brown noted that it may affect the Residential maximum height, and that may need to be looked at in the future.

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Solar – Mr. Nutting provided an overview of proposed Zoning Bylaw amendments related to ground mounted solar panels in residential zoning districts. The revisions would involve including solar in the Accessory Use by-law. Mr. Brown gave an overview of the proposed changes to the Accessory Use by-law. Mr. Hellen explained that there are 3 sizes of solar allowed, and the Medium and Large would require Site Plan through the Planning Board. Mr. Jones asked about requiring any fencing around the ground mounted solar units. Ms. Love stated that there are currently no proposed requirements for fencing, however landscaping can be considered.

Motion by Councilor Jones and seconded by Councilor Hamblen to recommend to the Town Council (4-0-0), as written.

Mr. Nutting provided an overview the existing poultry by-law use table. Mr. McKearney explained the current Board of Health by-laws regarding poultry. The by-laws were written in 1982, and have not been updated. The main issues or complaints that are received as related to poultry, is the free range of the bird, rooster, which is not allowed in Franklin and odor complaints. It was suggested to look in the surrounding areas on what their setback requirements for poultry. Poultry was continued to the next meeting.

Meeting Adjourned at 6:50 PM

The next meeting is scheduled for June 6 at 5:45PM.

Economic Development Committee Meeting

Wednesday, May 9, 2018

<u>Name</u>	<u>Address</u>	<u>Organization or Board Member</u> (if applicable)
John Colman to Shapanski	28 Sherman Ave 524 Pleasant St.	
Joe Halligan	1 Newell Dr	Planning Board
Andy Blaszak	148 Brook St.	Concord Citizen
Paul Radula	769 Washington Str.	Planning Board
Tom Meneer	14 Meneer Lane	Franklin Local Council
John Carroll	3 Stewart Ford Ln	Planning Board
Matt Kelly		Town Council

ZONING

chickens

185 Attachment 2

Town of Franklin USE REGULATIONS SCHEDULE PART I

[Amended 3-25-1987 by Bylaw Amendment 87-91; 7-11-2001 by Bylaw Amendment 01-468; 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 11-653]

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 RRII RVI	SFRRII	SFRIV	GRV	NC	CI	CII	DC	B	I	LI	O
1. Agriculture, horticulture and floriculture												
1.1 Nursery, greenhouse	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	N	Y
1.2 Produce stand ¹	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
1.3 Other, parcel of 5 or more acres	Y	Y	Y	Y	Y	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	N	N	N	N	N	N
b. With other livestock or poultry	Y ²	Y ²	N	N	N	N	N	N	N	N	N	N
c. With no livestock	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
1.5 Garden center, retail or wholesale	PB	PB	PB	PB	PB	PB	Y	N	Y	PB	PB	PB

NOTES:

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

A150 B.O.H.

minimum of an acre 200' 200'

✓ G-15 by address

FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

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

MEMORANDUM

TO: JEFFREY D. NUTTING, TOWN ADMINISTRATOR
FROM: BRYAN W. TABERNER, AICP, DIRECTOR
RE: PROPOSED ZONING BYLAW AMENDMENTS FOR GROUND-MOUNTED SOLAR ENERGY SYSTEMS, AND RELATED ISSUES
CC: JAMIE HELLEN, DEPUTY TOWN ADMINISTRATOR
GUS BROWN, ZONING ENFORCEMENT
AMY LOVE, PLANNER
DATE: MAY 8, 2018

Department of Planning and Community Development (DPCD) has worked with other Town Staff to draft zoning bylaw amendments that would provide limited regulation for ground-mounted solar energy systems. If the Town approves the zoning bylaw amendments, installation of a new ground-mounted solar system would be regulated as either an accessory use or a primary use, dependent upon the zoning district and the size ground-mounted solar energy system.

Please note, the proposed bylaw amendments do not regulate roof-top solar energy systems, which are permitted by right.

In order to develop easy to comprehend regulations and to clarify wording in related Zoning Bylaw sections, Town staff has developed proposed changes to three Zoning Bylaw sections:

- 1) §185-3. Definitions;
- 2) §185-19 Accessory buildings and structures; and
- 3) §185 Attachments 4 and 8 (Parts III and VII of the Use Regulation Schedules).

Proposed changes to each Zoning Bylaw section require their own zoning bylaw amendment. Below are summaries of the three amendments, which are identified as Zoning Bylaw Amendments 1, 2 and 3.

Zoning Bylaw Amendment 1

§185-3. Definitions. Changes to the Definitions section of Chapter 185 were needed for the following reasons:

- 1) Add three "Solar" related definitions to the Zoning Bylaw
(Small-scale, Medium-scale, and Large-scale Ground-mounted solar energy systems)
- 2) Move regulatory wording related to pools within the current "Accessory building or use" definition into a more appropriate section of the Zoning Bylaw;

3) Delete the current "Accessory building or use" definition, and add separate definitions for "Accessory building or structure" and "Accessory use".

Zoning Bylaw Amendment 2

§185-19 Accessory buildings and structures. The amendment is a complete rewrite of §185-19 Accessory buildings and structures. Subsections were developed related to several relevant issues, including:

Setbacks and Height Limitations. Required setbacks and height limitations described in this subsection relate to all accessory buildings and structures (e.g., sheds, detached garages, pools, ground-mounted solar), unless noted otherwise in other sections of Chapter 185. There are no changes proposed for these regulations.

Pools. Regulatory wording related to pools within the current "Accessory building or use" definition was moved to this section.

Ground-mounted solar energy systems. This subsection includes additional setback and height restrictions related to accessory ground-mounted solar accessory structures. In general, the Bylaw Amendment will require 20 feet rear and side setbacks for accessory ground-mounted solar energy systems on parcels within or adjacent to residential Zoning Districts, no accessory ground-mounted solar energy system shall be more than 15 feet in height, and Planning Board site plan review is required of all medium-scale ground-mounted solar energy systems.

Zoning Bylaw Amendment 3

Parts III and VII of the Use Regulation Schedules. The Zoning Amendment would add the three different size ground-mounted solar energy systems (defined in Zoning Bylaw Amendment 1) into the Use Regulation Schedules (§185 Attachments 4 and 8) of the Zoning Bylaw.

§185 Attachments 4. Add the following "Primary Uses" into the Use Regulations Schedule at Part III Industrial, utility.

- Small-Scale Ground-Mounted Solar Energy System
- Medium-Scale Ground-Mounted Solar Energy System
- Large-Scale Ground-Mounted Solar Energy System

§185 Attachments 8. Add the following "Accessory Uses" into the Use Regulations Schedule at Part VII Accessory Uses.

- Small-Scale Ground-Mounted Solar Energy System
- Medium-Scale Ground-Mounted Solar Energy System

Attached are three draft zoning bylaw amendments for consideration. The Economic Development Committee will discuss the proposed changes at their May 9, 2018 meeting. If the Committee supports the proposed zoning changes the Amendments should be scheduled for a Town Council meeting in the near future for further consideration. Please let me know if you have questions or require additional information.



SPONSOR: *Administration*

TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 18-XX1
DEFINITIONS. SMALL, MEDIUM AND LARGE GROUND-MOUNTED
SOLAR ENERGY SYSTEMS, ACCESSORY USE, AND
ACCESSORY BUILDING OR STRUCTURE

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 the following **deletions** and **additions** to §185-3 Definitions:

~~ACCESSORY BUILDING OR USE: A use or separate structure on the same lot with and of a nature customarily incidental and subordinate to the principal use or structure~~

~~No accessory buildings or structures of any size shall be closer than 10 feet to any principal building or side or rear lot line. No accessory building or structures shall be less than a distance equal to the common building height to common grade to any rear or side lot line. No accessory building or structures shall be located within a front yard setback. Lots having frontage on any street will maintain the front yard setback from all street frontage. This bylaw will also include all open space developments.~~

~~Swimming pools. The setbacks shall meet those of the accessory structure including pool equipment, i.e., pumps, heaters, etc., in the section noted above. In the case of a corner lot, the pool and the equipment must meet the front yard setback for that zone. Swimming pools are accessory structures whether in-ground, above the ground or on the ground. To get an accurate measurement, above the ground pools should be measured from the outside of the pool including any decking; in-ground pools should be measured from the outside edge of the pool or coping including equipment for both.~~

ACCESSORY BUILDING OR STRUCTURE: A building or other structure that is incidental, subordinate and reasonably related to the principal building on the property and is physically detached from the principal building. Accessory buildings and structures must be on the same property as the building to which they are accessory.

ACCESSORY USE: A use of land found on the same parcel as the principal use, but incidental, subordinate and reasonably related to the principal use.

LARGE-SCALE GROUND-MOUNTED SOLAR ENERGY SYSTEMS: An Active Solar Energy System that is structurally mounted to the ground and occupies more than 40,000 square feet of surface area (equivalent to a rated nameplate capacity of about 250kW DC or greater).

MEDIUM-SCALE GROUND-MOUNTED SOLAR ENERGY SYSTEMS: An Active Solar Energy System that is structurally mounted to the ground and occupies more than 1,750 but less than 40,000 square feet of surface area (equivalent to a rated nameplate capacity of about 10 - 250 kW DC).

SMALL-SCALE GROUND-MOUNTED SOLAR ENERGY SYSTEMS: An Active Solar Energy System that is structurally mounted to the ground and occupies 1,750 square feet of surface area or less (equivalent to a rated nameplate capacity of about 10 kW DC or less).

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

DATED: _____, 2018

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ NO _____

ABSTAIN _____

Teresa M. Burr
Town Clerk

ABSENT _____

Glenn Jones, Clerk



SPONSOR: *Administration*

TOWN OF FRANKLIN

ZONING BY-LAW AMENDMENT 18-XX2: CHANGES TO §185-19. ACCESSORY BUILDINGS AND STRUCTURES

A ZONING BY-LAW TO AMEND CHAPTER 185 SECTION 19 OF THE CODE OF THE TOWN OF FRANKLIN

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

Chapter 185 of the Code of the Town of Franklin is hereby amended by deleting the entire section of §185-19 Accessory buildings and structures, and adding the following text:

§185-19. Accessory buildings and structures

A. Purpose. The purpose of this Bylaw is to provide for the reasonable regulation and control of accessory buildings and structures within the Town of Franklin in order to protect the health, safety, and welfare of its residents, without unduly restricting the conduct of lawful enterprise.

B. Setback requirements and height restrictions. The following setbacks shall apply to all accessory buildings and structures, unless otherwise regulated in other sections of Chapter 185:

1. No accessory building or structure shall be located within a required front yard setback. Lots having frontage on any street will maintain the front yard setback from all street frontage.
2. No accessory building or structure shall be located in any side yard area nearer to the side lot line than 10 feet in any zoning district.
3. No accessory building or structure shall be located in a rear yard nearer to the rear lot line than 10 feet.
4. No accessory building or structures shall be less than a distance equal to the common building height to common grade to any rear or side lot line.
5. No accessory buildings or structures of any size shall be closer than 10 feet to any principal building, or other accessory building or structure.

C. Swimming Pools.

The setbacks for swimming pools shall meet those of the accessory structure including pool equipment, i.e., pumps, heaters, etc., in the section noted above. In the case of a corner lot, the pool and the equipment must meet the front yard setback for that zone.

Swimming pools are accessory structures whether in-ground, above-the-ground or on-the-ground. To get an accurate measurement, above-the-ground pools should be measured from the outside of the pool including any decking and related equipment; in-ground pools should be measured from the outside edge of the pool or coping including equipment.

D. Free standing signs.

See §185-19. Signs, for accessory sign requirements.

E. Ground-mounted solar energy systems.

The following restrictions are additional to setback and height requirements outlined in §185-19.B. above:

1. Planning Board site plan review is required of all medium-scale ground-mounted solar energy systems.
2. No accessory ground-mounted solar energy systems on parcels within or adjacent to residential Zoning Districts shall be located in any side or rear yard area nearer to the lot line than 20 feet.
3. No accessory ground-mounted solar energy system shall be more than 15 feet in height, measured from the common grade.

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

DATED: _____, 2018

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Teresa M. Burr
Town Clerk

ABSENT _____

Glenn Jones, Clerk

Sponsor: *Administration*

TOWN OF FRANKLIN

**ZONING BY-LAW AMENDMENT 18-xx3
GROUND-MOUNTED SOLAR ENERGY SYSTEM USE REGULATIONS**

**A ZONING BY-LAW TO AMEND FRANKLIN TOWN CODE AT
CHAPTER 185, USE REGULATIONS SCHEDULE PART III AND 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 Use Regulations Schedule Part III and Part VII, Attachment 4 and Attachment 8:

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

185 Attachment 4
USE REGULATION SCHEDULE
PART III (Continued)

Principal Uses	District													
	RR I RVI RVII	SFR III	SFR IV	GR V	NC	RB	CI	CII	DC	B	I	LI	O	
3.7 Public utility	P/SP	P/SP	P/SP	P/SP	N	N	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	
a. Electric power plant	N	N	N	N	N	N	N	N	N	N	BA	N	N	
3.8 Research and development:														
a. Biotechnology ¹	N	N	N	N	N	N	N	N	N	N	PB ²	N	PB ²	
b. Others	N	N	N	N	N	N	N	N	N	N	P/SP	N	P/SP	
3.9 Solid waste facility	N	N	N	N	N	N	N	N	N	N	BA	N	N	
3.10 Warehouse, distribution facility	N	N	N	N	N	N	N	N	N	N	Y	N	N ⁷	
3.11 Wholesale office, salesroom:														
a. With storage	N	N	N	N	N	N	N	P/SP	N	P/SP	P/SP	N	N ⁷	
b. Without storage	N	N	N	N	N	N	N	P/SP	N	P/SP	Y	N ⁷	N ⁷	
3.12 Conference center	N	N	N	N	N	N	N	PB	N	PB	PB	P/SP	PB	
3.13 Brewery, distillery, or winery production with tasting room	N	N	N	N	N	N	PB	PB	PB	PB	PB	PB	N	
3.14 Ground-mounted Solar Energy System														
a. Small-scale	Y	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	
b. Medium-scale ⁽⁸⁾	PB	PB	PB	N ⁷	N	N ⁷	N	PB	N	PB	Y	N	N ⁷	
c. Large-scale ⁽⁸⁾	PB	PB	N	N	N	N	N	N	N	PB	Y	N	N	

NOTES:

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

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.

District															
	RR RV	RRI RVI	RRII RVII	SFR RV	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O
Accessory Uses															
A1 Boarding	N		Y	Y	Y	Y	Y	N	Y	Y	N	N	N	N	N
A2 Contractor's yard	N		N	N	N	N	N	N	N	N	N	Y	Y	N	N
a. Landscape materials storage and distribution	N		N	N	N	N	Y ³	Y ³	N	N	N	Y	Y	N	N
A3 Home occupation (See § 185-39B.)	Y		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N
A4 Manufacture, assembly, packing of goods sold on premises	N		N	N	N	N	Y ⁴	N	Y ¹	Y ¹	Y ¹	Y	Y	N	Y ¹
A5 Off-street parking (See § 185-39C.)	Y		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
A6 Professional office, studio (See § 185-39A.)	Y		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y
A7 Restaurant, bar	N		N	N	N	N	N	N	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	N	Y	Y	Y	Y	Y ²	N	Y ²
A9 Scientific use in compliance with § 185-37	BA		BA	BA	BA	BA	BA	N	BA	BA	BA	Y	Y	Y	Y
A10 Signs (See § 185-20.)	Y		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
A11 Single-family dwelling for personnel required for safe operation	Y		Y	Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y
A12 Other customary accessory uses	Y		Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y
A13 Other retail sales, services	N		N	N	N	N	Y	N ⁴	Y	Y	Y	Y	Y	Y	Y
A13.1 Animal grooming	BA		BA	BA	BA	BA	BA	N	Y	BA	Y	BA	BA	BA	BA
A14 Operation of not more than 5 automatic amusement devices	N		N	N	N	N	N	N	N	Y	Y	Y	Y	N	N
A15 Warehouse/distribution facility	N		N	N	N	N	N	N	N	Y	N	Y	Y	N	Y
A16 Wholesale office, salesroom															
a. With storage	N		N	N	N	N	N	N	Y	Y	Y	Y	Y	N	Y
b. Without storage	N		N	N	N	N	N	N	Y	Y	Y	Y	Y	Y ³	Y
A17 Catering	N		N	N	N	PB	PB	N	Y	Y	Y	Y	Y	Y	Y
A18 Function hall	N		N	N	N	PB	PB	N	Y	Y	Y	Y	Y	Y	Y
A19 Ground-mounted Solar Energy System ⁵															
a. Small-scale	Y		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
b. Medium-scale ⁶	PB		PB	PB	PB	PB	N	PB	N	PB	N	PB	Y	N	PB

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.
5. See §185-19, "Accessory buildings and structures".
6. Planning Board Site Plan Review is required of all Medium-scale Ground-mounted Solar Energy Systems.

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

DATED: _____, 2018

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

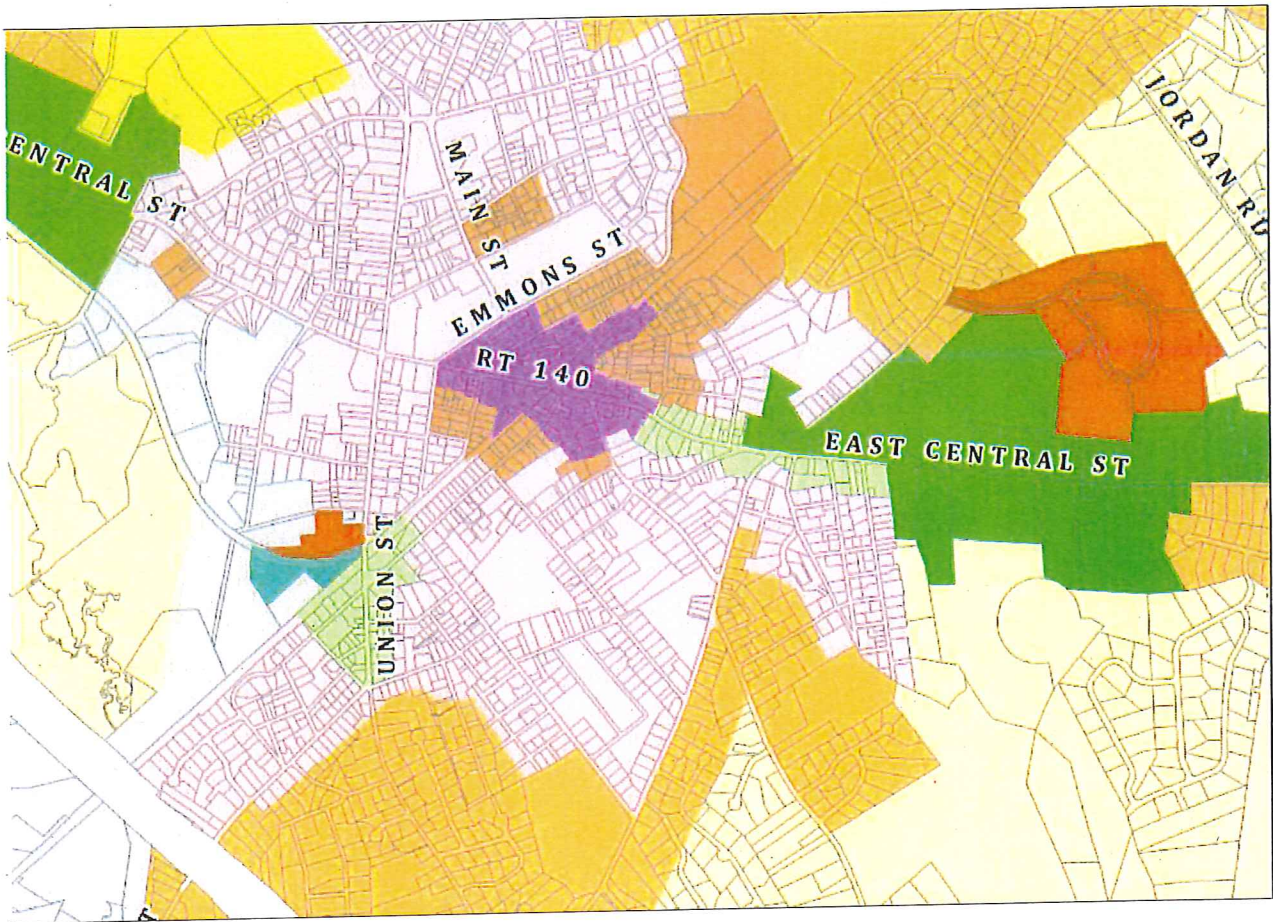
ABSTAIN _____

Teresa M. Burr
Town Clerk

ABSENT _____

Glenn Jones, Clerk

Location of Commercial I (CI) Zoning District



January 3, 2018

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

Sponsor: *Administration*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 18-xxx
COMMERCIAL I DIMENSIONAL REGULATIONS
A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE AT
CHAPTER 185, SCHEDULE OF LOT, AREA, FRONTAGE, YARD
AND HEIGHT REQUIREMENTS**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

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

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

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

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

NOTES:

¹ But no new structure shall be required to provide a deeper yard than that existing on that parcel upon adoption of this amendment.

² Increase to 20 feet when abutting a residential district.

³ See definition of Upland §185-3, §185-36. Impervious Surfaces and §185-40. Water Resource District.

⁴ Within open space developments (see § 185-43), the lot width must be met for individual lots shall be no less than 1/2 those required within the underlying district.

⁵ Increase by the common building height of the structure, when abutting a residential use.

⁶ Up to 5 stories, ~~and/or~~ but no more than 60 feet, ~~whichever is greater~~, may be permitted by a special permit from the Planning Board.

⁷ Permitted residential uses must observe requirements of General Residential V District for residential use building only. Mixed use buildings are exempt from this requirement.

⁸ Increase by 1.5 the common building height of a structure, when abutting a residential district or use.

⁹ Up to 4 stories, ~~and/or~~ but no more than 50 feet, ~~whichever is greater~~, may be permitted by a special permit from the Planning Board provided the structure is set back at least 15 feet from frontage.

¹⁰ Minimum 5' setback required on first floor, street level; upper floors can overhang required first floor set back.

¹¹ See §185-50.

¹² Total impervious surface in the upland shall be no more than 50% if a special permit for multiple, single-family dwelling units is granted in RVII.

¹³ Maximum gross building footprint of non-residential primary use structures is 3,500 square feet.

¹⁴ Up to 4 stories, but no more than 50 feet, may be permitted by a special permit from the Planning Board.

5/8/2018

Franklin DPCCD

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

DATED: _____, 2018

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Teresa M. Burr
Town Clerk

ABSENT _____

Glenn Jones, Clerk

FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

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

MEMORANDUM

TO: JEFFREY D. NUTTING, TOWN ADMINISTRATOR
FROM: BRYAN W. TABERNER, AICP, DIRECTOR
RE: PROPOSED ZONING BYLAW AMENDMENT: CHANGES TO DIMENSIONAL
REGULATIONS FOR COMMERCIAL I ZONING DISTRICT
CC: JAMIE HELLEN, DEPUTY TOWN ADMINISTRATOR
AMY LOVE, PLANNER
DATE: MAY 8, 2018

The Department of Planning and Community Development (DPCD) has developed a Zoning Bylaw amendment related to dimensional regulations within the Commercial I (CI) Zoning District, which is the purpose of this memo. Changes to dimensional regulations within the Commercial I Zoning District have been discussed since 2010 when much of the CI district was rezoned to a new Downtown Commercial Zoning District. The issue was put aside at that time so it could be addressed during the Master Plan development process. Land Use Objective 3.2 from the Implementation section of Franklin's 2013 Master Plan addresses the issue, and is shown below for reference.

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

Currently the CI district has the least restrictive requirements of Franklin's zoning districts. The proposed dimensional regulations do not represent a substantial change from current requirements. Below is a comparison of current and proposed dimensional requirements within the Commercial I Zoning District.

Commercial I Zoning District	Current	Proposed
<i>Minimum Side Yard Dimensions</i>	0 ¹	10 ¹

Note 1: Increase to 20 feet when abutting a residential district.

Requiring a 10 feet setback in the side yard of each CI parcel is recommended by Town staff to provide easier access to the rear of properties by emergency response personnel, but also serves to promote courtyards and pedestrian oriented plazas, improve pedestrian flow, and encourage green space and pervious surfaces.

Commercial I Zoning District	Current	Proposed
Maximum Impervious Coverage of Existing Upland		
Structures:	90%	80%
Structures and Paving:	100%	90%

Currently owners of CI parcels are allowed to have one hundred percent impervious surface. Very few CI parcels currently have more than 90 percent impervious surface, therefore this proposed change is not likely to create problems for property owners, and guarantee that new development will have at least some pervious areas for stormwater infiltration and landscaping.

Commercial I Zoning District	Current	Proposed
Maximum Height of Building (Stories/Height)		
By Right	3 Stories or 40 ft.	3 Stories or 40 ft.
By Planning Board Special Permit	5 Stories or 60 ft ²	4 Stories or 50 ft ³
Note 2: Up to 5 stories and/or 60 feet, whichever is greater, may be permitted by a special permit from the Planning Board.		
Note 3: Up to 4 stories, but no more than 50 feet, may be permitted by a special permit from the Planning Board.		

Making the proposed changes to the number of stories that may be allowed by Planning Board special permit will not substantially change the level of development allowed in the CI zoning district; the 4 stories (or 50 feet) is the same as currently may be allowed by special permit in the Downtown Commercial Zoning District.

Related Issue for Consideration

While working on the above zoning dimensional requirements, related issues in other Zoning Districts were discussed. One such issue is the maximum height of buildings in the Commercial II (CII) Zoning District. DPCD recommends changing the maximum building height allowed in CII to the same as allowed in the DC district and currently proposed for the CI district.

Commercial II Zoning District	Current	Proposed
Maximum Height of Building (Stories/Height)		
By Right	3 Stories or 40 ft.	3 Stories or 40 ft.
By Planning Board Special Permit	Not applicable ⁴	4 Stories or 50 ft ⁵
Note 4: Current zoning regulations do not allow for more than 3 stories (or 40 feet) by a special permit from the Planning Board.		
Note 5: Up to 4 stories, but no more than 50 feet, may be permitted by a special permit from the Planning Board.		

Attached is a diagram showing the location of the Commercial I Zoning District, and a draft zoning bylaw amendment for consideration. The Economic Development Committee will discuss the proposed changes at their May 9, 2018 meeting. If the Committee supports the proposed zoning changes the Amendment should be scheduled for a Town Council meeting in the near future for further consideration. Please let me know if you have questions or require additional information.